

tion, and making an appropriation to carry out this resolution.

Referred to Committee on Constitutional Amendments.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, January 12, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. C. R. No. 1, To provide for the counting of the votes for Governor and Lieutenant Governor, and for their inauguration.

Respectfully,
W. V. HOWERTON,
Secretary of the Senate.

TO COUNT VOTE FOR GOVERNOR AND LIEUTENANT GOVERNOR.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 1, Providing for the counting of the votes for Governor and Lieutenant Governor, and for their inauguration.

Be it resolved by the Senate, the House of Representatives concurring, That a joint committee of eight, to consist of three Senators to be appointed by the President of the Senate, and five members of the House of Representatives to be appointed by the Speaker of the House, shall be appointed a joint committee to canvass the vote for Governor and Lieutenant Governor of the State of Texas, and to prepare for their inauguration.

The resolution was read second time.

Mr. John Davis of Dallas offered the following amendment to the resolution:

Amend Senate concurrent resolution No. 1 by striking out the word "eight" and insert word "twelve," and strike out word "three" and insert word "five," and striking out word "five" and insert word "seven."

The amendment was adopted.

The resolution as amended was then adopted.

PROVIDING NEWSPAPERS FOR MEMBERS.

Mr. Rosser offered the following resolution:

Be it resolved by the House of Representatives, That each member be allowed three daily newspapers during the Regular Session of the Thirty-seventh

Legislature, to be paid for out of the contingent expense fund of the House.
Signed—Rosser, Wallace.

The resolution was read second time and was adopted.

PROVIDING FOR MAILING CLERK.

Mr. Pope offered the following resolution:

Resolved, That the Speaker of the House appoint a mailing clerk for the House, and that each member of the House have the privilege of giving to the mailing clerk a list of three names, with proper addresses, to whom said mailing clerk shall mail daily a copy of the House Journal, and that said mailing clerk receive the sum of five (\$5) dollars per day for said service.

The resolution was read second time.

Mr. Owen moved to table the resolution, and the motion to table was lost.

Question recurring on the resolution, it was adopted.

RESOLUTION RE-REFERRED.

On motion of Mr. John Davis of Dallas, House Joint Resolution No. 1 was withdrawn from the Committee on Constitutional Amendments and referred to the Judiciary Committee.

ADJOURNMENT.

On motion of Mr. Curtis, the House at 3:45 o'clock p. m. adjourned until 10 o'clock a. m. tomorrow.

THIRD DAY.

(Thursday, January 13, 1921.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Thomas.

The roll was called and the following members were present:

Mr. Speaker.	Binkley.
Adams.	Bonham.
Aiken.	Black, O. B.,
Baker.	of Bexar.
Baldwin.	Black, W. A.,
Barker.	of Bexar.
Barrett of Bell.	Brady.
Barrett of Fannin.	Branch.
Bass.	Brown.
Beasley	Bryant.
of Hopkins.	Burkett.
Beasley.	Burmeister.
of McCulloch.	Burns.
Beavens.	Carpenter.

Childers.	Moore.
Chitwood.	Morris of Medina.
Coffee.	Morris
Cox.	of Montague.
Crawford.	Mott.
Crumpton.	Neblett.
Cummins.	Neinast.
Curtis.	Owen.
Darroch.	Patman.
Davis, John E.,	Perkins
of Dallas.	of Cherokee.
Davis, John,	Perkins of Lamar.
of Dallas.	Perry.
Dinkle.	Pollard.
Duffey.	Pool.
Duncan.	Pope.
Edwards.	Quaid.
Estes.	Quicksall.
Faubion.	Quinn.
Fly.	Rice.
Fugler.	Rogers of Harris.
Garrett.	Rogers of Shelby.
Greer.	Rosser.
Grissom.	Rountree.
Hall.	Rowland.
Hanna.	Satterwhite.
Harrington.	Schweppe.
Henderson	Seagler.
of McLennan.	Shearer.
Henderson	Sims.
of Marion.	Smith.
Hendricks.	Sneed.
Hill.	Stephens.
Horton.	Stevenson.
Johnson of Ellis.	Stewart
Johnson	of Edwards.
of Wichita.	Stewart of Reeves.
Jones.	Swann.
Kacir.	Sweet of Brown.
Kellis.	Sweet of Tarrant.
King.	Teer.
Kveton.	Thomas
Lackey.	of Limestone.
Laird.	Thomason.
Laney.	Thompson
Lauderdale.	of Harris
Lawrence.	Thompson
Leslie.	of Red River.
Lindsey.	Thorn.
Looney.	Thrasher.
McCord.	Veatch.
McDaniel.	Wadley.
McFarlane.	Walker.
McKean.	Wallace.
McLeod.	Webb.
Malone.	Wessels.
Martin.	West.
Marshall.	Westbrook.
Mathes.	Williams
Melson.	of McLennan.
Merriman.	Williams
Miller of Dallas.	of Montgomery.
Miller of Parker.	Wright.
Morgan.	

A quorum was announced present.

Prayer was then offered by Rev. J. C. Mitchell, Chaplain.

TO APPOINT ADDITIONAL PORTERS.

Mr. Horton offered the following resolution:

Whereas, There is not a sufficient number of porters to do the necessary work in the House; therefore, be it

Resolved by the House of Representatives, That the Speaker be authorized to appoint four additional porters to be paid the same salary as the present porters are paid.

The resolution was read second time.

Mr. Bass offered the following amendment to the resolution:

Amend the resolution by striking out the word "four" and substituting therefore the word "two."

The amendment was adopted.

The resolution as amended was then adopted.

OATH OF OFFICE ADMINISTERED.

The Speaker appointed Mr. Rosser and Mr. Hill to escort Hon. J. Roy Hardin, Representative-elect from Kaufman county, to the Speaker's stand for the purpose of taking the constitutional oath of office.

The committee having performed its duty, the oath of office was administered to Mr. Hardin by the Speaker.

EMPLOYES OF THE HOUSE.

The Speaker announced the appointment of the following employees of the House:

Porter to Sergeant-at-Arms—Joe Johnson.

Porter to Speaker—Charlie Jackson.

Night Watchman—A. B. Coffee.

Elevator Man—Mike Davis.

Secretary to Speaker—Read Granberry.

Page to Speaker—Harrold Preece.

Mailing Clerk—Miss Lucy Read.

Warrant Clerk—Miss Etta Bender.

Assistant Calendar Clerk—Miss Vera Lightfoot.

Sergeant-at-Arms in Gallery—W. C. Nichols.

Assistant to Enrolling and Engrossing Clerks—Mrs. Dora Mears.

Bookkeeper to Sergeant-at-Arms—J. T. Hamilton.

Assistant to Journal Clerk—Miss Jimmie Evans.

Page to Sergeant-at-Arms—Aaron H. Cole.

The Speaker announced the appointment of the following porters:

Isaiah Smith, Sam Cole, Rufus Pope, J. M. Merriwether, John Walker, George Nobles, Will Petitt, W. T. Piper, G. W. Jones, James Bedford and Milton Nobles.

The Speaker announced the appointment of the following committee clerks:

Jonas Kizer, Judson Francis, Tilden Childs and H. B. Green.

(Mr. Seagler in the chair.)

INVITING HON. AARON SAPIRO TO ADDRESS THE LEGISLATURE.

Mr. John Davis of Dallas offered the following resolution:

Whereas, The questions of warehousing and marketing the farm products of Texas are now uppermost in the minds of our citizens, and we are called upon to assist in remedying the situation as best we may, as Legislators; and

Whereas, Mr. Aaron Sapiro, an attorney of California, is recognized as the highest authority on warehousing and marketing of farm products in this country, and we are informed that he will be in Texas on or about January 25, 1921, and we as Legislators need all the aid and information possible to obtain in dealing with the matters in hand, and our information is that it is agreeable to Mr. Sapiro that he come to Austin and address the members of the Legislature on warehousing and marketing of farm products; now, therefore, be it

Resolved, That the House of Representatives request Mr. Aaron Sapiro to deliver an address to the members of the Senate and House of Representatives in the city of Austin at 7:30 p. m., January 25, 1921; that the Chamber of the House of Representatives be tendered to Mr. Sapiro as a place to make his address, and that the Senators be requested to come in a body to the House Chamber, be present and hear the address of Mr. Sapiro, and that a copy of this resolution be furnished to the Senate, with the request that they be present at the time and place stated.

The resolution was read second time, and was adopted.

RELATING TO FEDERAL TRANSPORTATION ACT.

Mr. Satterwhite offered the following resolution:

H. C. R. No. 3, Relating to the transportation of passengers and freight on railways.

Be it resolved by the House of Representatives of the State of Texas, the Senate concurring:

Whereas, The Transportation Act of 1920, enacted by the Congress, which became effective on March 1, 1920, has, by its plain provisions in some instances and by the interpretation placed on other provisions by the Interstate Commerce Commission, attempted to completely destroy the right of States to regulate the common carriers of intrastate freight and passengers within their own State lines in many particulars, and without regard to the Constitutions and laws of the several States; and

Whereas, Notwithstanding the definite statement of the act that its provisions shall not apply:

"To the transportation of passengers or property, or to the receiving, delivering, storage, or handling of property wholly within one State."

It has been construed by the Interstate Commerce Commission as giving that body power to fix passenger and freight rates within the several States regardless of the statutory law, or the rates, fares and charges authorized and fixed by the constituted authorities of these States; and

Whereas, If the provisions of this law and the interpretation placed upon it by the Interstate Commerce Commission are approved by the courts of the land, it will have the effect, so far as our own State is concerned, of:

1. Increasing the passenger fare from three cents to three and six-tenths cents per mile, with an additional charge of 50 per cent of the regular sleeping car fare for those who occupy a sleeping car, despite the fact that the statute law of Texas fixes the maximum passenger fare at three cents per mile for adults.

2. Permitting the Interstate Commerce Commission to fix the freight and express rates, and classification to be charged in Texas on purely intrastate traffic, disregarding the rates fixed by and under the Constitution and laws of Texas, and without regard to the value of the property owned by the carriers in Texas and used for transportation purposes, or without regard to the kind or quantity of intrastate traffic or the expense of handling the same.

3. Nullifying and destroying the stock and bond law of Texas, and permitting the railroads chartered under Texas laws and supported by Texas traffic to issue securities only on per-

mission of the Interstate Commerce Commission.

4. Overriding the provisions of the law of this State forbidding the abandonment of railroads when once they have been constructed, except by special act of the Legislature. If this provision is finally held valid it will mean that any railroad chartered under the laws of this State and built may be removed at will by securing the permission of the Interstate Commerce Commission.

5. Permitting the Interstate Commerce Commission to assume complete control of all railroad equipment, both State and interstate, at such times and under such circumstances as that body may deem wise, regardless of any law of or regulation by the State of Texas.

6. Requiring a certificate of convenience and necessity from the Interstate Commerce Commission before any future railroad, no matter how short or how long, may be built or old line extended in Texas; and

Whereas, These and other provisions of the act, if the courts should finally determine them valid, will leave the sovereign State of Texas impotent to deal with and regulate the railroads and railroad traffic within the State, strike down our laws and make necessary long, expensive journeys to Washington for any relief sought; and

Whereas, It is our deliberate judgment that the situation thus created and threatened is in violation of the spirit of our American government and of the Constitution and laws of the State of Texas, and that it was not the purpose of the Congress to enact a law that would thus destroy the sovereignty of the individual States and make scraps of paper of their Constitutions and laws, solemnly adopted and enacted; therefore, be it

Resolved by the Legislature of the State of Texas that we protest in the name of the people of this State against the provisions of the Transportation Act, which, either by design or construction, operate to destroy State authority long established and long recognized as essential in the just and proper regulation of common carriers with reference to purely and essentially State transportation; and it is further

Resolved, That the Congress be urged to immediately so amend the Transportation Act of 1920 as to clearly restore to the respective States their lawful and proper authority over transportation

matters wholly within the States; and it is further

Resolved, That the Chief Clerk of the House be directed to transmit a copy of these resolutions to each of the United States Senators and members of the House of Representatives from Texas, with the urgent request by the Legislature of the State of Texas that they bring them to the early attention of the Congress, using all possible means within their power to aid in the prompt amendment of the Transportation Act of 1920 in accordance with the desire of their people thus expressed.

The resolution was read second time.

On motion of Mr. Miller of Dallas, the resolution was referred to the Committee on Appropriations.

PROVIDING PAGE FOR MR. RICE.

Mr. Darroch offered the following resolution:

Whereas, One of the members of the House, Hon. Charles C. Rice, is afflicted by the loss of eyesight, and, therefore, it will be proper for this body to provide a special page to render such service and assistance to said member as he may require; and

Whereas, It will be necessary for the page selected for the duties above mentioned to read the proceedings of the House to Mr. Rice and to accompany him to and from his place of abode, in addition to such other duties as are ordinarily performed by a page of this House; therefore, be it

Resolved by the House of Representatives of the Thirty-seventh Legislature, Regular Session, That the Hon. Chas. C. Rice be permitted to select a special page to serve him and that the page so selected be paid the sum of \$4 per day.

Signed—Darroch, Teer.

The resolution was read second time and was adopted.

PROVIDING COPIES OF TEXAS STATUTES.

Mr. John Davis of Dallas offered the following resolution:

Whereas, In order for the members of the House to render the most efficient and expeditious service to the people of Texas, in the consideration and discussion of proposed enactments of laws or in the amendment of existing laws, it is necessary that each member be furnished with proper data and informa-

tion concerning the present laws of this State; and

Whereas, Since the enactment and adoption of the Revised Statutes of the State of Texas in 1911, twelve or more sessions of the Legislature have taken place, and numerous laws have been enacted and other laws on the statutes have been amended; and

Whereas, It is often difficult and sometimes practically impossible for the members of this House to obtain copies of the several session acts since 1911, or to even have access to such acts merely by way of reference; and

Whereas, Because of this condition bills are frequently introduced, seeking to amend articles of the Revised Statutes of 1911 which have been amended already since 1911, without making any reference to or considering said amendment taking place since 1911; and

Whereas, Because of this condition bills are sometimes introduced as an original measure, when there may already be a law in force on the same subject covered by the bill submitted; and

Whereas, Such conditions tend to impede and embarrass the Legislature in the work imposed by the Constitution of Texas and by the people of Texas; and

Whereas, There is now published a book entitled "Complete Texas Statutes," embracing the Revised Statutes of Texas of 1911, as amended or added to since that time down to and including the year 1919, and covering all session acts of Texas now in force down to and including the Second Called Session of the Thirty-sixth Legislature, and said book can be purchased at a price of \$12.50 per volume, and there are 142 members of this House and we need said number of 142 volumes; therefore, be it

Resolved, That 142 copies of said "Complete Texas Statutes," as herein described, be purchased for use of the members of this House, at the price of \$12.50 per volume, and that said sum for said books be paid out of the contingent expense fund of the House, said sum of \$1775 being hereby appropriated out of the contingent expense fund of the House for such purpose.

The resolution was read second time.

Mr. Owen offered the following amendment to the resolution:

Amend the resolution by striking out the number words and figures "142" and insert "40."

Question—Shall the amendment be adopted?

Mr. Crumpton raised a point of order on further consideration of the resolution at this time, on the ground that the time allotted under the rules of the House for the consideration of resolutions has expired.

The Speaker sustained the point of order.

RELATING TO CASE OF H. J. NEINAST.

The Speaker laid before the House for consideration at this time, the following privileged resolution:

Hon. Chas. G. Thomas, Speaker, and Members of the House of Representatives of the Thirty-seventh Legislature of Texas:

We, Robt. B. Thrasher of the Eighty-ninth Representative District, Place No. 1 of the State of Texas, and Tomas G. Pollard of the Twenty-ninth Representative District of the State of Texas, are informed and believe, and under the solemnity of our oath of office, do hereby represent and charge:

No. 1. That the said H. J. Neinast, who was duly elected Representative of the Sixty-ninth Representative District of Washington county, Texas, is ineligible to sit as a member of the House of Representatives of the Thirty-seventh Legislature because of his acts of disloyalty to the United States government and conviction upon his plea of guilty for unlawfully and wilfully conspiring and confederating with other parties to commit an offense against the United States of America, towit: to obstruct the recruiting and enlistment service of the United States to the injury of the service (commonly known as the Selective Draft Law) and of the United States, the United States being then and there at war with the Imperial German Government.

No. 2. That H. J. Neinast of Washington county, Texas, was duly elected Representative of the Sixty-ninth District of Texas on November 2, 1920.

No. 3. That the said H. J. Neinast of Washington county, Texas, was convicted on his plea of guilty in the United States District Court, Western Division of Texas, Austin, Texas, June term, June 17, 1919, for unlawfully and wilfully conspiring and confederating with other parties to commit an offense against the United States of America, towit: to obstruct the recruiting and en-

listment service of the United States to the injury of the service and of the United States, the United States being then and there at war with the Imperial German Government.

No. 4. That, during the late war with Germany the attitude of the said H. J. Neinast was consistently one of disloyalty and un-Americanism as attested by statements from various representative citizens of Washington county, Texas.

No. 5. That Article 3, Section 7, of the Constitution of the State of Texas declares that a Representative of the State of Texas at the time of his election must be a qualified elector of this State.

No. 6. That Article 14, Section 3, of the Constitution of the United States of America declares that no person shall hold any office, civil or military, under any State, who, having previously taken an oath as a judicial officer of any State to support the Constitution of the United States shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof.

No. 7. That, as a justice of the peace of Washington county, Texas, Precinct No. 7, in the year A. D. 1906, the said H. J. Neinast took an oath to support the Constitution of the United States of America.

No. 8. That, on initial roll call, a formal protest against the seating of the said H. J. Neinast was entered before the Secretary of State of Texas in the House of Representatives of the Thirty-seventh Legislature on January 11, 1921, and by reason of such protest the House retains jurisdiction of this case; now, therefore, be it

Resolved, That the public good, the cause of truth and justice to all parties and all officers concerned requires that a full, fair and impartial investigation be made by this Legislature, that all the facts which would show or tend to show the truth about the acts herein enumerated, and which will enable this Legislature to take such action as the facts developed may require and to pass such laws as may be necessary to prevent a repetition of such transactions, and for this purpose a committee of seven shall be selected from this House. Said committee shall be organized by electing one of its members chairman and one secretary, and shall have authority to employ such stenographers and clerks as may be deemed necessary, and to call upon the Sergeant-at-Arms

of the House for service of process and enforcement of its orders. Said committee shall be and the same is hereby vested with the power to issue process, summons witnesses, to take and have taken depositions in such manner and with such notice as it may be ordered, to compel the production before it of any papers, records, books or documents for the purpose of securing testimony. It is hereby vested with all the powers now vested in the district courts of this State; that each member of said committee is hereby vested with the power to administer oaths; that the method of implied procedure in gathering evidence as well as in the prosecution of the work for which it is constituted shall be within the discretion of the committee, and said committee shall have power to take and keep a record of any and all transactions of the said parties hereinbefore mentioned which come under the observation of said committee during its investigation, and which may either directly or collaterally concern the conduct of the said H. J. Neinast hereinbefore mentioned, or which may show or tend to show any violations of the law of this State and of the United States by said party. Said witnesses shall be paid in the same manner and amount as is provided for witnesses summoned before the House and any of its committees. The sessions of said committee shall be open, and it is hereby authorized to sit and hold its sessions at any place within this State for the purpose of securing and taking such testimony of the witnesses as can be procured to be brought before it at the Capitol of the State, or which may be inaccessible to the committee without such sitting at other points than the Capitol. The committee is hereby given authority to employ counsel if deemed necessary by the committee so appointed to represent it and the public and any officer whose transactions may be deemed the subject of inquiry by the committee shall have the right to be represented by counsel, and shall be entitled to participate in the conduct of the investigation with the same powers, duties and privileges as belong to any attorney at law representing parties in any of the courts of this State, and each shall have the right, and the duty of said committee, or any individual member thereof, to interrogate any and all witnesses which may be brought before it in such a manner and to such an extent as may be necessary to develop

the full truth and all the facts related to the matters herein enumerated, and such other matters as said committee may investigate. Said committee, however, shall not be restricted to any rule of evidence, but shall obtain the facts regardless of the usual rules of evidence.

The report of said committee shall contain a correct and accurate stenographic transcript of all proceedings had in and before said committee, giving questions, answers, objections to evidence, ruling thereon, names of parties and disposition thereof, or used in evidence before said committee, including the transcript and the entries in all books or accounts showing or offering any light on any of the transactions hereinbefore mentioned, together with such recommendations as the committee, or any member thereof shall see fit and proper to make to the House, and it shall be recorded at length in the Journal of the House.

The necessary traveling and personal expenses, retainers and fees paid counsel, if such counsel be deemed necessary to be employed by the committee so appointed, or the said committee be elected to consult the Attorney General of the State of Texas as its counsellor, all witness fees, mileage, and all other necessary expenses of said committee to be paid out of the contingent fund of the House upon accounts duly approved by the chairman of said committee.

The said committee in addition to making a report of the facts ascertained by it, shall and is hereby instructed, in case it finds the allegations and charges herein made, true, in whole or in part, to prepare and submit with its report such specific charges as may be the basis, or may be necessary in impeachment proceedings against the said H. J. Neinast, Representative-elect from the Sixty-ninth Representative District of Washington county, Texas.

The said committee of seven to be appointed by the Speaker of the House of Representatives of the Thirty-seventh Legislature of Texas.

(Signed) ROBERT B. THRASHER,
TOMAS G. POLLARD.

Sworn to and subscribed before me, this the 13th day of January, A. D. 1921.

(Seal) VANCE STOCKTON,
Notary Public in and for Travis County,
Texas.

Exhibit A.

Attached certificate of court proceedings of the indictment, plea of guilty and final disposition of the case in the United States District Court, Western Division of Texas, Austin, Texas, June Term, June 17, 1919.

Exhibit B.

Certificate of Secretary of State, C. D. Mims, to the effect that H. J. Neinast was a justice of the peace of Precinct No. 7, Washington County, Texas, in the year 1906, according to Department of State records.

The United States of America.

In the Honorable United States District Court for the Western District of Texas, sitting at and in the city of Austin, within said district, at its June term, A. D. 1918.

In the name and by the authority of the United States of America come the grand jurors of the United States of America, and the Western District of Texas and the Austin Division thereof, and being first duly selected, tried, empaneled, sworn and charged, upon their oaths in open court do present:

That heretofore, to wit, on or about the 1st day of April, A. D. 1918, in the county of Burleson, State of Texas, Western District of Texas and Austin Division thereof, one William Thaler, one William Rosenbaum and one H. J. Neinast did unlawfully and wilfully conspire, confederate and agree together to commit an offense against the United States of America, to wit, to obstruct the recruiting and enlistment service of the United States, to the injury of the service and of the United States, the United States being then and there at war with the Imperial German Government, by obtaining for the said William Thaler deferred classification and exemption from military service by means of false affidavits and representations to be presented and made to the local board for the county of Washington, State of Texas, and the district board for the Western District of Texas, the said William Thaler having theretofore registered in accordance with the provisions of the Act of Congress of the United States approved May 18, 1917; for service in the military forces of the United States and having been theretofore, that is to say prior to the formation of said unlawful conspiracy, duly and regularly classified in class 1 of

those subject to be called for such service by the local board for the county of Washington, in the State of Texas, within whose jurisdiction the said William Thaler then and there resided, and the district board for the Western District of Texas, in accordance with the provisions of the Act of Congress aforesaid and the Selective Service Regulations made and promulgated thereunder by the President of the United States on the 8th day of November, A. D. 1917, the said William Thaler not being entitled to such deferred classification and exemption, that is to say, not being necessary to the maintenance of a necessary enterprise and being a man without dependents who were wholly or mainly dependent on his labor for support, as the said conspirators and each of them well knew when they conspired, confederated and agreed together, as aforesaid; and the said William Thaler, William Rosenbaum and H. J. Neinast having so conspired, confederated and agreed together as aforesaid, during the continuance of said conspiracy and to effect the object thereof the said William Rosenbaum did on the 3rd day of April, A. D. 1918, in the county of Washington, State of Texas, Western District of Texas and Austin Division thereof, make, subscribe and swear to a certain affidavit before one Eula Namverck, a notary public in and for Washington county, Texas, then and there intending that such affidavit should be thereafter filed with and presented to the local board for the county of Washington, in the State of Texas, and the district board for the Western District of Texas, to be considered by said boards and members thereof in passing upon the claim of the said William Thaler for deferred classification, which said affidavit is substantially as follows, to-wit:

"The State of Texas,
County of Washington.

Before me, the undersigned authority on this day personally appeared Wm. Rosenbaum, personally known to me, who being first duly sworn, says:

That he is a farmer by occupation, and owns about 558 acres of land in Washington county, Texas, of which some fifty acres, or more, are in cultivation; that Willie Thaler, his stepson, who has been drafted for service in the United States Army and whose serial number is No. 2333, lives with affiant and does the principal part of the work necessary to the cultivation of said cultivated land; that affiant and said Willie

Thaler together cultivate said land and make thereon about ten bales of cotton and about 500 bushels of corn a year.

That in addition to the cultivation of said land they also raise cattle for the market and a part of the duties of the said Willie Thaler on affiant's place is looking after and caring for such cattle.

That affiant has only one son of his own who is married, with a family of his own, and who does not live with nor work for affiant.

That some two or three years ago affiant's right shoulder and three ribs in his right side were broken and he has not since said time been able to perform full farm labor; in fact his right shoulder is in such condition that he performs farm labor with difficulty.

The said Willie Thaler gives his entire time to the cultivation of said land and looking after the cattle of affiant and on account of the scarcity of farm laborers it would be with difficulty that help could be obtained, if at all, to take his place.

Affiant says that the continuance of the said Willie Thaler in said enterprise is necessary to the maintenance thereof, and he cannot be replaced by another person without a direct, substantial loss and detriment to the adequate and effective operation of the said enterprise.

WM. ROSENBAUM.

Subscribed and sworn to before me this the 3rd day of April, A. D. 1918.

(Seal) EULA NAMVERCK,
Notary Public in and for Washington County, Texas."

Which said statements and representations made by said William Rosenbaum in said affidavit were then and there false and misleading, particularly the statement to the effect that the said William Thaler did the principal part of the work necessary to the cultivation of the land referred to in said affidavit, and the statements that said William Rosenbaum was physically incapacitated from performing full farm labor, and the statements to the effect that the continuance of said William Thaler in said enterprise was necessary to the maintenance thereof and he could not be replaced by another person without a direct substantial loss and detriment to the adequate and effective operation of said enterprise, for in truth and in fact the said William Thaler was working simply as an ordinary farm hand on the farm of the said William Rosenbaum, and he was not necessary to the maintenance of the said farm and no substantial loss or detriment would be suf-

ferred by his induction into the military service, and the said William Rosenbaum was well able physically and in every other respect to maintain and operate the said farm without the assistance of said William Thaler, all of which was then and there well known to the said William Rosenbaum at the time he made, signed and swore to the affidavit aforesaid, which said affidavit the said William Rosenbaum caused to be presented to and filed with the local board of Washington county and the district board for the Western District of Texas; that during the continuance of said conspiracy and to effect the object thereof said William Thaler, on or about the 11th day of April, A. D. 1918, in the county of Washington, State of Texas, Western District of Texas and Austin Division thereof, did make, subscribe and swear to a certain affidavit before one F. A. Homeyer, justice of the peace and ex-officio notary public in and for Washington county, Texas, the said William Thaler then and there intending that such affidavit should be thereafter filed with and presented to the local board for the county of Washington, in the State of Texas, and the district board for the Western District of Texas, to be considered by said boards and the members thereof in passing upon the claim of the said William Thaler for deferred classification, which said affidavit is substantially as follows, to-wit:

"In the Matter of William Thaler.

To the Honorable District Exemption Board, Austin, Texas:

William Thaler would respectfully show that He is a Citizen of Washington County Texas and is 27 years of age That he is a Farmer and Stock-raiser That he has 75 acres of land in cultivation this year: That He has 20 acres of corn now up and ready to work out: That he has 10 acres in Milo Maize, Soudan Grass and cane for feed: That he has 45 acres in Cotton

That He looks after 5 head of Cattle 5 Horses and is raising Hogs and is sole manager of said Farm and Stock.

That the only assistance He has is what little help His Step Father can give Him, that a wagon ran over his Step Father over 2 years ago breaking 3 of his ribs and His shoulder that since that time He has been crippled and unable to do heavy work; that He cannot raise his right hand above his head.

That His Mother is old and has been under the treatment of Physicians for the past 13 years and He is the only child now living with Her That he has

one half Brother who is married and has a Family of his own to care for who never assists He or His Mother in any way in fact He is unable to assist Her as He has all He can do to look after and provide for His own Family

That it is impossible to employ Farm labor here and the crops I have planted and been working would have to be abandoned if I had to leave them.

That I made application for deferred classification to My Local Board and they said they would not take up any such applications until after the Registrant had been called for service

That believing that an application made at such a late date would not be sufficient and wishing to have the matter definitely settled I hereby request Your Honorable Board to investigate My claim and give me the deferred classification necessary under the circumstances and conditions

WILLIAM THALER

Sworn to and subscribed before me this 11th day of April 1918

(Seal) F. A. HOMEYER

Justice of the Peace & Ex Officio Notary Public Washington County Texas."

That the statements contained in said affidavit were false and misleading, particularly the statement that the said William Thaler had 75 acres of land in cultivation and that he was the sole manager of the said farm and stock, and that the crops on said farm would have to be abandoned if he, the said William Thaler, had to leave them, and the statements relative to the physical condition of the said William Rosenbaum, when in truth and in fact said William Thaler did not own any land, as would be inferred from the statement made in said affidavit, and he was not the sole manager of said farm and stock, but simply did the work of an ordinary farm hand, and the crops referred to in said affidavit would not have to be abandoned if the said William Thaler was inducted into the military service, but the said William Rosenbaum was well able to look after said crops and to maintain and operate said farm, and which he was in fact then and there maintaining and operating, all of which was well known to the said William Thaler at the time he made, signed and swore to the affidavit aforesaid, which said affidavit the said William Thaler caused to be presented to and filed with the local Board of Washington county and the District Board

for the Western District of Texas; that during the continuance of said conspiracy and to effect the object thereof said H. J. Neinast did, on or about the 3rd day of April, A. D. 1918, in the county of Washington, State of Texas, Western District of Texas and Austin Division thereof, make, subscribe and swear to an affidavit before one Eula Namverck, a notary public in and for Washington county, State of Texas, which said affidavit was to the effect that the statements made in the affidavit of William Rosenbaum hereinbefore set out in this indictment, were known to him to be true and correct, when in truth and in fact such statements were false and misleading in the particulars hereinbefore set forth, as he, the said H. J. Neinast, then and there well knew, the said affidavit made by the said H. J. Neinast being written on the bottom of the same sheet of paper on which the aforesaid affidavit of William Rosenbaum was written.

Contrary to the form of the statute in such cases made and provided and against the peace and dignity of the United States.

(Signed) W. H. THOMPSON,
Foreman of the Grand Jury.

Endorsed: No. 1446. In the United States District Court for the Western District of Texas, Austin Division. The United States vs. William Thaler, William Rosenbaum and H. J. Neinast. Indictment. Charge: Conspiracy to commit an offense against the United States, Section 37, U. S. Penal Code and Act of June 15, 1917. U. S. witnesses: Joe Corwin, Austin, Texas. A true bill: W. H. Thompson, Foreman of the Grand Jury. Hugh R. Robertson, Assistant U. S. Attorney. Claud J. Carter, Special Assistant to the United States Attorney. Filed July 17, 1918. D. H. Hart, Clerk. By A. B. Coffee, Deputy.

United States District Court,
Western District of Texas.

I, D. H. Hart, Clerk of the United States District Court for the Western District of Texas, do hereby certify that the above and foregoing, on four and a fraction pages, is a true and correct copy of the indictment and the endorsements thereon in No. 1446, The United States vs. William Thaler et al., as the same appears on file in this office.

Witness my official signature and the seal of said District Court at office in

the city of Austin, Texas, this the 27th day of September, A. D. 1920.

(Seal) D. H. HART, Clerk.

By A. B. COFFEE, Deputy.

United States District Court,
Western District of Texas,
Austin Division.

June Term, June 17, 1919.

No. 1446. The United States vs. William Thaler et al.

This day this cause coming on to be heard, came the United States by their District Attorney, and came also the defendants, William Thaler, William Rosenbaum, and H. J. Neinast, each in his own proper person and by counsel, and thereupon the said defendants were arraigned at the bar of the court when all parties announced ready for trial, and a jury having been waived, and the indictment having been read to the defendants, they each for themselves, in open court, voluntarily entered their separate pleas of guilty to the charge contained therein.

Wherefore, it is considered and adjudged by the court that the defendants, William Thaler, William Rosenbaum and H. J. Neinast, are each guilty, as confessed in their separate pleas of guilty, of the offense of having on the 1st day of April, A. D. 1918, in the county of Burleson, State of Texas, Western District of Texas, and within the jurisdiction of this court, unlawfully and wilfully conspired, confederated and agreed together to commit an offense against the United States of America, to wit: to obstruct the recruiting and enlistment service of the United States, and in furtherance of said conspiracy and to effect the object thereof, said William Rosenbaum and said H. J. Neinast, on the 3rd day of April, A. D. 1918, and said William Thaler, on the 11th day of April, A. D. 1918, made, subscribed and swore to certain affidavits, then and there intending that such affidavits should be filed with and presented to the Local Board for the county of Washington, in the State of Texas, and the District Board for the Western District of Texas, to be considered by said boards and the members thereof in passing upon the claim of the said William Thaler for deferred classification, which affidavits were false and misleading, and the said defendants being asked by the court if they had anything to say why the sen-

tence of the law should not be pronounced against them, and they answering nothing in bar thereof.

It is the order and sentence of the court that each of the said defendants, William Thaler, William Rosenbaum, and H. J. Neinast, for said offense by him committed, pay to the United States of America, a fine in the sum of fifty dollars, aggregating one hundred and fifty dollars, and said sum having been paid to the clerk in open court, it is ordered that said defendants be each now discharged and go hence without day.

United States District Court,
Western District of Texas.

I, D. H. Hart, Clerk of the United States District Court for the Western District of Texas, do hereby certify that the above and foregoing on one and a fraction pages, is a true and correct copy of the judgment and sentence entered in the case of the United States vs. No. 1446, Criminal, William Thaler, William Rosenbaum and H. J. Neinast, as the same appears of record in this office.

Witness my official signature and the seal of said District Court at office in the city of Austin, Texas, this the 27th day of September, A. D. 1920.

(Seal) D. H. HART, Clerk.

By A. R. COFFEE, Deputy.

The State of Texas,
Department of State.

I, C. D. Mims, Secretary of State of the State of Texas, do hereby certify, that the records of this department show that H. J. Neinast was a justice of the peace, precinct No. 7, of Washington county, Texas, in the year 1906.

In testimony whereof, I have hereunto signed my name officially, and caused the seal of State to be hereon impressed, at the city of Austin, Texas, this the 12th day of January, A. D. 1921.

(Seal) C. D. MIMS,
Secretary of State.

The resolution was read second time.
(Speaker Thomas in the chair.)

On motion of Mr. Perkins of Cherokee, the pleadings accompanying the above resolution were ordered printed in the Journal.

Mr. Seagler moved to refer the resolution to the Committee on Privileges, Suffrage and Elections.

Mr. Owen moved to table the motion to refer the resolution to the Committee

on Privileges, Suffrage and Elections, and the motion to table prevailed.

Question recurring on the resolution, it was adopted.

NOTICE OF CONTEST FILED.

The Speaker laid before the House and had referred to the Committee on Privileges, Suffrage and Elections, the following documents relating to the contesting of the election of Grover C. Morris, as Representative from the One Hundred and Sixteenth Representative District of Texas, filed by W. F. Naegelin, contestant:

Devine, Texas, December 8, 1920.

In re Naegelin vs. Morris, election contest, One Hundred and Sixteenth Representative District, Texas.

Mr. W. F. Naegelin. Contestant, Castroville, Texas.

Dear Sir: I am just in receipt of your "Notice of Contest" and "Statement of Grounds on Which Contest is Based," and in reply thereto beg leave to state:

First. I except to your notice of contest and statement of grounds herein, and say that the same is not sufficient in law to require me to reply.

Second. And for special cause of exception I would show the following:

(1) That notice of service and statement of grounds were not given as prescribed by law, in that they were deposited in the mail addressed to a third party, who in turn delivered same to me.

(2) That you failed to furnish me with a bill of particulars upon which you are contesting my election as Representative of the One Hundred and Sixteenth District of Texas.

(3) That you failed to attach to your statement of grounds a copy of your application and petition, showing that you had a sufficient number of qualified voters signing same under oath, who had not participated and voted in a primary election in which there was a candidate for Representative for the One Hundred and Sixteenth District, on November 2, 1920, showing date and filing date of same.

(4) That you failed to state what party ticket your name appeared on in Uvalde county, Texas.

(5) That you failed to give the different dates you notified the Secretary of State to certify your name to the proper officials of the several counties in the district.

(6) That service of notice and statement of grounds were not served in time and in the manner prescribed by law.

(7) That you failed to state that it would have materially changed the result, and in what manner, if your name had appeared on the official ballot as you state that you requested it to be in Uvalde county and Dimmit county.

Third. And further replying herein, if such be necessary, without waiving any of my exceptions herein but still insisting on the same, I deny each and every statement and ground and say that the same are not true in whole or in part, and demand strict proof of same.

Fourth. Further replying herein, I would show as a fact, that on November 4, 1919, when you were my opponent in a special election held for Representative of the One Hundred and Sixteenth District to succeed Hon. H. P. Hornby, resigned, that I defeated you by a big majority in the district, and during the thirty days of the campaign your political advertisements showed you as being affiliated with the American party, while I ran as a Democrat; and that on May 4, 1920, at the Democratic county convention of Medina county at Hondo, you came as a delegate to the convention from Castroville, and participated and served on the credentials committee; and that on July 24, 1920, something over sixty days, your town and community refused to hold primaries, after receiving the primary supplies from the county chairman; and that on August 28, 1920, about thirty days later, your town and community held the run-off primary, and the vote for Governor was 77 for Mr. Bailey and none for Mr. Neff; that you participated and voted in said run-off primary and pledged yourself to support the Democratic nominee of said primary in the general election, and that on November 2, 1920, a little over sixty days, you voted in the general election for Mr. McGregor, the American party's candidate for Governor, thereby breaking your pledge as a Democrat to vote for the Democratic nominee of that primary, who was Mr. Neff.

"He who seeks equity must do equity," is a maxim perhaps that you have never seen or heard of. "You must come into court with clean hands." "The ermine

of the court will not be soiled with the hand or badge of fraud."

Respectfully submitted,

GROVER C. MORRIS,

Representative One Hundred and Sixteenth District of Texas.

(Copy.)

Notice of Contest.

In re Naegelin vs. Morris, election contest, One Hundred and Sixteenth Representative District of Texas.

Castroville, Texas, Nov. 26, 1920.

To Grover C. Morris, Devine, Texas.

Dear Sir: This is to give you notice that I am contesting your alleged election as Representative to the Legislature of the One Hundred and Sixteenth District, and attached hereto find statement of the grounds on which I base my claims.

Respectfully,

W. F. NAEGELIN,

Castroville, Texas.

(Copy.)

Statement of Grounds on Which Contest Is Based.

In re Naegelin vs. Morris, election contest, One Hundred and Sixteenth Representative District of Texas.

Castroville, Texas, Nov. 26, 1920.

To Grover C. Morris, Devine, Texas.

Dear Sir: This is to give you notice that I am going to contest your alleged election as Representative to the Legislature of the One Hundred and Sixteenth District, basing my claims on the following grounds, to wit:

First. That the Secretary of State did negligently and wilfully fail to perform his sworn duty in certifying my name at the proper time to the proper officials of Medina, Uvalde, Dimmit, and Zavalla counties, after I had complied with all the requirements of the law to have my name placed on the official ballot as an independent candidate for Representative of the One Hundred and Sixteenth District.

Second. That he was equally negligent and wilfully failed to certify my name to the proper officials of Dimmit county, Texas, and therefore by reason of such failure my name did not appear on the official ballot in Dimmit county.

Texas, in the election of November 2, 1920.

Third. That the Secretary of State went contrary to my request and the request of a great number of citizens of the One Hundred and Sixteenth District who signed my application and petition to have my name placed on the independent ticket, in the election of November 2, 1920, and that in Uvalde county, Texas, my name did not appear on the right party ticket as he had been requested to do and as instructed to do in my application and petition to him.

Fourth. That the Secretary of State, although often notified and requested to certify my name, has utterly failed to perform his sworn duty in the matter, and having so failed, I shall carry this contest up to the House of Representatives at Austin, Texas, and with all justice demand that the votes you received in Uvalde and Dimmit counties, Texas, be thrown out, and that the votes of Medina and Zavalla counties only be counted, which gives me a clear majority of 282 votes in the counties in which my name appeared on the right party ticket, and that I be therefore declared the legally elected Representative of the One Hundred and Sixteenth District.

Respectfully,

W. F. NAEGELIN,
Castroville, Texas.

Devine, Texas, December 14, 1920.

In re Naegelin vs. Morris, election contest, One Hundred and Sixteenth Representative District of Texas.

State of Texas,
County of Medina.

Before me, the undersigned authority in and for Medina county, Texas, on this day personally appeared David C. Brown (county attorney of Medina county, Texas), known to me to be the person whose name is subscribed to this affidavit, and who after being by me duly sworn, deposes and says that he in person as the agent of W. F. Naegelin, in Naegelin vs. Morris election contest for the office of Representative to the Legislature from the One Hundred and Sixteenth District, served the "Notice of Contest" and "Statement of Grounds on Which Contest is Based," on said G. C. Morris on the 4th day of December, A. D. 1920, at 3 (p. m.) o'clock in the town of Devine, Medina county, Texas.

DAVID C. BROWN.

Sworn and subscribed to before me

this the 17th day of December, A. D. 1920.

(Seal) F. R. BRISCOE,
Notary Public Medina County, Texas.

Copies of Letters Written to the Secretary of State.

Aug. 16, 1920.

Sect. of State, Austin, Texas.

Dear Sir: Enclosed find application and petition to have my name placed on the official ballot as a candidate for Representative to the Legislature from the 116th District.

Please advise me if the same is in due form and legally correct.

Yours very truly,

W. F. NAEGELIN.

No answer came to the above.

Castroville, Texas, August 23, 1920.

Sect. of State, Austin, Texas.

Dear Sir: Will you please advise me if my application and petition send you some time ago, is in due form and legally correct.

Yours very truly,

W. F. NAEGELIN.

Received no answer to the above.

Castroville, Texas, Aug. 30, 1920.

(Registered Letter.)

Sect. of State, Austin, Texas.

Dear Sir: Will you please advise me if my application and petition to have my name placed on the official ballot as a candidate for Representative to the Legislature from the 116th District, is in due form and legally correct.

Yours very truly,

W. F. NAEGELIN.

Received no answer to the above.

Receipt card received by me.

Copy.

Wrote to Sect. of State, Aug. 16, 1920.

Wrote to Sect. of State, Aug. 23, 1920.

Wrote to Sect. of State, Aug. 30, 1920.

Sept. 20, 1920.

Hon. Sec. of State, Austin, Texas.

My Dear Sir: Mr. W. F. Naegelin, of Castroville, Medina County, Texas, has requested me to write to you to ascertain whether or not you received his petition and application to have his name placed upon the official ballot as candidate for the office of Representa-

tive for the 116th District of Texas.

I will appreciate very much to have you inform me as to whether or not you have received Mr. Naegelin's petition, and if so, whether same is regular and whether his name will appear on the ticket?

Will you kindly let this matter have your attention. I will greatly appreciate an immediate reply.

Very sincerely yours,

R. J. NOONAN,

County Judge, Medina County, Texas.

9-24-20.

Dear Sir: The above name has been received, place on the certificate, which will be sent the county clerks in due course.

Yours very truly,
SECRETARY OF STATE.

Copy.

Telegram.

Collect \$1.20.

Austin, Texas, Oct. 23, 1920.

W. F. Naegelin, Castroville, Texas.

Secretary of State has telegraphed Medina county clerk, to place your name on ballot. If you notify Secretary that other counties have not received your name, he will telegraph them. He claims he certified your name.

WM. BLAKESLEE.

Oct. 23, 1920.

Mr. W. F. Naegelin, Castroville, Texas.

Dear Sir: I am in receipt of yours of the 20th inst., relative to the printing of your name as a candidate for Representative of the 116th District, on the independent ticket.

Your name was not certified to this office as such candidate, and of course, I could not have it printed on the ballot without such certificate.

Very truly yours,

WM. H. DAVIS,

County Judge.

Copy.

Austin, Texas, Oct. 26, 1920.

W. F. Naegelin, Castroville, Texas.

Dear Mr. Naegelin: Just returned from Falls county, and found your letter and at once went to the Sect. of State's office.

He informed me that he had found out that he had not certified your name as he told me he had the other day, and

upon discovering this he at once certified your name to each of the four counties. I hope he has done so.

There have been many mistakes made in the Sect. of State's office, and I have had a lot of trouble trying to get him to correct errors.

Respectfully yours,

WM. BLAKESLEE.

Copy.

Nov. 9, 1920.

Mr. W. F. Naegelin, Castroville, Texas.

Dear Sir: Your name did not appear on the official ballot in this county. Your name was never certified by any officer, and of course, we could not place it on the ticket.

We did not send out the election supplies until the last moment and could have added your name up to Saturday, had the proper certificate been forthcoming.

Very truly yours,

WM. H. DAVIS,

County Judge, Dimmit County, Texas.

The State of Texas,
County of Uvalde.

I, Ditzler H. Jones, County Judge of Uvalde County, State of Texas, hereby certify that the attached three copies of election returns made to me by the County Judges of Medina, Dimmit and Zavalla Counties, are a true and correct copy of the original returns on file in my office, and further, that I have attached hereto a true and correct copy of the minutes of the election returns from Uvalde County, Texas.

I further certify that all of the attached copy of election returns are of the general election held on the 2nd day of November, 1920, for Representative of the One Hundred and Sixteenth District, in pursuance of the proclamation of the Governor of Texas.

Witness my hand and official seal of office at Uvalde, Texas, this the 3rd day of January, 1921.

(Seal)

DITZLER H. JONES.

County Judge Uvalde County, Texas.

Returns for Representative for Dimmit County.

The State of Texas,
County of Dimmit.

To the County Judge of Uvalde County:

This is to certify that at an election held on the 2nd day of November, 1920, for Representative of the One Hundred and Sixteenth District, in pursuance of the proclamation of the Governor of

Texas, the following persons received the following votes in said Dimmit county for such office:

Total Number of Votes Polled, 251.

Mr. Grover C. Morris.....250 votes.
Mr. Harry Wurzbach..... 1 vote.

Witness my hand and official seal, at Carrizo Springs, Texas, this the 8th day of November, A. D. 1920.

WM. H. DAVIS,
County Judge, Dimmit County, Texas.

Returns for Representative for Zavala County.

The State of Texas,
County of Zavala.

To the County Judge of Uvalde County:

This is to certify that at an election held on the 2nd day of November, 1920, for Representative of the One Hundred and Sixteenth District, in pursuance of the proclamation of the Governor of Texas, the following persons received the following votes in said Zavala county for such office:

Total Number of Votes Polled, 465.

Mr. Grover C. Morris.....288 votes.
Mr. W. F. Naegelin..... 20 votes.

Witness my hand and official seal, at Batesville, this the 11th day of November, A. D. 1920.

N. H. HUNT,
County Judge Zavala County, Texas.

Returns for Representative One Hundred and Sixteenth Representative District for Medina County.

The State of Texas,
County of Medina.

To the County Judge of Uvalde County:

This is to certify that at an election held on the 2nd day of November, 1920, for Representative of the One Hundred and Sixteenth District, in pursuance of the proclamation of the Governor of Texas, the following persons received the following votes in said Medina county for such office:

Total Number of Votes Polled, 1780.
Mr. G. C. Morris 487 votes.
Mr. W. F. Naegelin.....1033 votes.

Witness my hand and official seal, at Hondo, Texas, this the 17th day of November, A. D. 1920.

(Seal) B. NOONAN,
County Judge Medina County, Texas.

To the Speaker of the House of Representatives, of the Regular Session of the.....Legislature, January, 1921.

The following is a true and correct copy as shown by the minutes of the returns of the General Election held in Uvalde county, Texas, on the 2nd day of November, 1920, which appears of record on page 45 of said minutes, Vol. for Representative, 116th District:

Grover C. Morris—Precinct 1, 216; Precinct 2, 61; Precinct 3, 61; Precinct 4, 8; Precinct 5, 12; Precinct 6, 32; Precinct 7, 21; Precinct 8, 6; Precinct 9, 8; Precinct 10, 6; Precinct 11, 23; Precinct 12, 121; Precinct 13, 91; Precinct 14, 15; total, 681 votes.

W. F. Naegelin—Precinct 1, 13; Precinct 2, 16; Precinct 3, 1; Precinct 4, 4; Precinct 5, 1; Precinct 6, 1; Precinct 7, 0; Precinct 8, 1; Precinct 9, 0; Precinct 10, 1; Precinct 11, 28; Precinct 12, 9; Precinct 13, 12; Precinct 14, 0; total, 87 votes.

We, the undersigned commissioners, hereby certify that on this 8th day of November, 1920, we have opened and canvassed the votes and the returns as tabulated above, are true and correct, as we found.

DITZLER H. JONES,
County Judge Uvalde County, Texas.

B. B. WATSON,
Commissioner Precinct 1.
A. F. FRAZIER,
Commissioner Precinct 2.
G. P. HODGES,
Commissioner Precinct 3.
J. B. CUMMINS,
Commissioner Precinct 4.

Attest:

ZENA DALRYMPLE,
County Clerk.

State of Texas,
County of Uvalde.

I, J. W. Graham, clerk of the county court of Uvalde county, Texas, do hereby certify that the above is a true and correct copy of the election returns for Representative 116th District, as appears of record on pages 45 and 47, Vol., Record of Election Returns of Uvalde County, Texas.

In testimony whereof, witness my hand and official seal at Uvalde, Texas, this 31st day of December, 1920.

(Seal) J. W. GRAHAM,
County Clerk, Uvalde County, Texas.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, January 13, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following bills:

S. B. No. 1, A bill to be entitled "An Act making an appropriation to pay the per diem and mileage of members and per diem of officers and employes of the Regular Session of the Thirty-seventh Legislature of the State of Texas, convened on the 11th day of January, 1921; providing how accounts may be approved, and declaring an emergency."

S. B. No. 2, A bill to be entitled "An Act making an appropriation to pay the contingent expenses of the Regular Session of the Thirty-seventh Legislature of the State of Texas, convened January 11, 1921, providing how accounts may be approved, and declaring an emergency."

S. B. No. 3, A bill to be entitled "An Act making appropriation to pay mileage and per diem of the Presidential electors of Texas for the year 1921, and declaring an emergency."

And has concurred in House amendments to Senate concurrent resolution No. 1, and under its terms the following members have been appointed on the part of the Senate, Senator Woods, Witt, Buchanan, Wood and Darwin.

Respectfully,
W. V. HOWERTON,
Secretary of the Senate.

(Mr. Cox in the chair.)

MESSAGE FROM THE GOVERNOR.

Miss Annie Houghton, Secretary to the Governor, appeared at the bar of the House, and being duly announced, presented the following message from the Governor, which was read to the House, as follows:

Governor's Office,
Austin, Texas, January 13, 1921.

To the Thirty-seventh Legislature in Regular Session.

Gentlemen: The condition of the various departments and institutions of the State government has kept pace with the progress of other phases of the government. In almost every instance the biennial reports of the respective departments and institutions show large increases over the volume of business heretofore handled.

Inasmuch as these reports are to be

printed for distribution among the members of your body, I shall not encumber your journal with an exhaustive review of the contents of the respective reports, and shall communicate to you only that portion which will enable me to comply with the provision of the Constitution requiring the executive to communicate to the Legislature with respect to the condition of the State.

State University.

I am advised that the biennial report of the Board of Regents is now in course of preparation and in the hands of the printer and will be available to your membership as soon as it is off the press.

During the session of 1919-1920, there were enrolled in all the departments of the University 7044 students, distributed as follows:

In the Main University, long session	3977
In the Medical Branch.....	356
In the College of Mines and Metallurgy	142

Total long session attendance...4475

The Summer School session of 1919 enrolled 1764 and the Bureau of Extension during 1919-1920, enrolled 1212.

The Board of Regents has represented to the Board of Control its estimate for maintenance for the next two years, amounting to \$1,663,357 per year which I am informed has been reduced by the Board of Control in the amount of approximately a half a million dollars. I am informed by the President that this reduction of the estimate of the Regents made by the Board of Control will cripple the University so as to make it practically impossible for it to perform its functions. I believe the University of Texas should be what the founders of Texas intended, an institution of the first class, and I believe it is the duty of the Legislature to make ample provision for maintaining that standard and affording ample room for all of the young men and women who seek entrance within its doors.

Agricultural and Mechanical College.

The attention of the Legislature is directed to the continued growth of this institution since it was established. During the last regular session, 1902 students were enrolled, with an additional enrollment of 1977 students during the summer session, making a total enrollment of 3779 students for the twelve months period ending September 1, 1920. The estimated regular session

enrollment in the current year is more than 2000. The attendance during the session ending September 1, 1920, was slightly more than 50 per cent greater than any pre-war year.

From the Extension Department of the College, farm and home demonstration agents have been placed in most of the populous counties of the State. The last annual report of the College discloses 134 county agents and assistants and 59 home demonstration agents. This work of the College is financed jointly by Federal and State governments.

Under the direct supervision of the College authorities are the Agricultural Experiment Stations of the State, comprising the Main Station located at the College, with 14 sub-stations distributed throughout the State. The work undertaken and performed by the Agricultural Experiment Station system is that of supplying useful knowledge for more scientific methods of cultivation of field crops and the more economic production of live stock.

John Tarleton Agricultural College.

This institution is a branch of the Agricultural and Mechanical College, having been established at Stephenville by an act of the Thirty-fifth Legislature. The report discloses that this institution has shown considerable growth since its organization, having enrolled during the last scholastic year 612 students.

Grubbs Vocational College.

As is provided by the Act of the Thirty-fifth Legislature establishing this institution, it is made a branch of the Agricultural and Mechanical College. During the past scholastic year the enrollment at this school was 444 students.

Prairie View Normal and Industrial College.

This is the only institution of higher learning in the State for the education of our negro population. It is a land grant College and, as such, is under the direction of the Board of Directors of the Agricultural and Mechanical College of Texas. This institution offers instruction in agriculture, home economics and mechanical arts, including useful trade courses, and it also serves as a normal school for training normal teachers. The institution has a faculty of 63 and had a total enrollment during the past scholastic session of 1925 students.

College of Industrial Arts.

The attention of the Legislature is invited to the ninth biennial report of the College of Industrial Arts with special attention to the phenomenal growth of this institution since its opening in September, 1903. During the first six years of the operation of this College, courses of study covering a two year period only were offered. For the next five years, the course of study was increased to cover one to three years of college work, since which time the College has offered courses of study covering one to four years work.

The total matriculation for the first six years numbered 1460. During the next five years, this number increased to 2343, while the number enrolled during the last six years was 9353 girls with an enrollment the past session of 1462, during the regular session, and 666 for the summer session, a total of 2218, or in other words, during the session ending in 1920 there were enrolled in the College 768 more students than the total matriculation during the first six years.

Approximately 60 per cent of the student body come from rural communities and from farm and ranch homes, the remaining 40 per cent being distributed among the homes whose support is derived from practically all other standard vocations. Geographically, the students are from 80 per cent of the counties of Texas located in every section of the State.

In connection with the report of this institution, the attention of the Legislature is invited to the recommendations made by the Board of Regents with respect to the future of this important institution.

The State Department.

During the period covered by the biennial report, the net receipts of the State Department for the two fiscal years ending August 31, 1918-August 31, 1920, have totaled \$2,364,074.98. The total receipts of this department for the two fiscal years preceding were \$1,593,491.55 showing an increase in favor of the last two years in the sum of \$770,583.43.

The appropriation made for the department by the Legislature for the two years ending August 31, 1921, was \$59,240; deducting this appropriation from the net receipts of the department for the biennium ending August 31, 1920, will leave a net profit in favor of the department in the sum of \$2,304,834.98. The business of the department as revealed in the report thereof discloses

that the increase has exceeded 67 per cent over the two years just prior thereto.

An interesting feature of the report is that the present incumbent in that office is of the opinion that notwithstanding the continued anticipated increase in the business of the department that the present office force will be entirely sufficient to take care of it expeditiously and satisfactorily.

I invite your attention to that portion of the report of the Secretary of State with respect to his recommendations concerning a change in a number of the corporation laws.

The State Board of Control.

The report covered by this department embraces only one year in that the department is practically in its infancy, having begun operations January 1, 1920. The Board of Control was created by an Act of the Thirty-sixth Legislature during the Regular Session but by a subsequent amendment, the date of its organization was made effective January 1, 1920.

The duties of the Board contemplate the administration of the laws relating to the various offices, departments, boards and institutions which were consolidated by terms of the act, namely, the State Expert Printer, the State Purchasing Agent, the State Superintendent of Public Buildings and Grounds, the State Inspector of Masonry, Public Buildings and Work, the Board of Public Printing, and the Board of Managers of each and all of the eleemosynary institutions of the State.

The Board under the terms of the act is authorized to combine its work into such divisions and subdivisions as may be necessary to accomplish the purposes for which it was created.

Through the division of public printing is handled all of the stationery and printing requirements of the State aggregating approximately \$400,000.00. Since the operation of the Board began this division alone has effected a material reduction in the annual cost of stationery and printing. An explanation of the manner in which this was accomplished is embraced in a copy of the printed report of the Board to which your attention is invited. A conservative estimate on one class of the stationery contract alone has been placed at \$35,000 to \$50,000 per year.

Through the purchasing division of the Board, all the supplies used by the various institutions and departments with the exception of the Prison System

are purchased. The purchases are made upon a competitive basis by sealed bids and the contracts and purchases handled by the Board during the past year aggregate approximately \$4,000,000.

The Board has installed an up-to-date system of bookkeeping and has made provision for the checking of all bills before being passed to the Comptroller for payment. The bill is not only applied to the contract but the extensions and footings on each invoice are verified, the result of which has been the discovery of numerous mistakes most of which I am informed have been against the State.

An interesting feature of the report is disclosed in the fact that the cost of operating these departments under the Board of Control is only \$744.56 per month, more than under the old method, which amount is greatly overbalanced by the saving effected annually in the purchase of supplies, etc.

The report as it will be presented by the Board embraces a number of recommendations with respect to needed amendments to the present law and I recommend your careful consideration of the amendment suggested.

The Attorney General's Department.

The biennial report of the Attorney General is at this time in the hands of the printer but will be available for your membership shortly.

A summary of the report as furnished by the Attorney General discloses that the business of the legal department of the State government for the past two years is greater than that of any other biennial period. This increase is accounted for by reason of the general increase of business following the close of the war and the various new laws enacted assigning additional duties to that department.

During the biennial period just closed, the department handled a total of 347 cases and disposed of 217. The department has rendered 305 formal opinions, and has written approximately 33,900 letters.

Through the efforts of the Attorney General, the State during the past biennium recovered 15,708.7 acres of land. In the cases now pending before the courts, a total acreage of 126,401 acres is involved exclusive of the land involved in the Red River Boundary suit. Since the close of the fiscal year, there has been recovered in the Capitol Syndicate case 60,896 acres of land.

Each of you, of course, are familiar with the Red River Boundary suit which

involves approximately 1000 miles of the northern and western boundary of Texas and is the largest suit of its charter ever filed in the Supreme Court of the United States. This case alone during the past biennium has engrossed the attention of a large portion of the lawyers and clerical force of that department continuously during the past two years.

The record of the present Attorney General, Hon. C. M. Cureton, with his able corps of assistants is without parallel. The legal victories won by and for the State during the last four years in a period of new and far-reaching laws and the settlement of many cases involving State property of large value give evidence of how fortunate the State is to have this important department in hands as watchful of the State's interest and so capable of defending them.

The department has approved 1347 bond issues involving a total indebtedness of \$91,907,761.02.

Your earnest attention to the recommendation of the Attorney General as embraced in his printed report is cordially invited.

The Department of Insurance and Banking.

Reference is here made to the Forty-fifth annual report of the Commissioner of Insurance and Banking. Particular attention of the membership of your body is invited to the recommendations as contained in the report, some of which I believe are necessary to the further development of the State Banking System, which has shown a steady growth during the past few years. I am cognizant of the difficulty experienced by that department during the past three years in procuring competent bank examiners, and in maintaining a sufficient staff to meet the requirements of the State, by reason of the insufficient compensation paid them. The Commissioner, in his report, has made recommendations with respect to this matter, to which I urge your careful consideration.

The Treasury Department.

The report of the Treasury Department covering the past biennium contains the information that the general revenue account at the close of this fiscal year has reached the highest point in the history of the State, the amount to the credit of the general revenue account being \$8,840,758.79. The balance to this account on September 1, 1919, was \$4,632,416.81, which was the highest sum remaining to that account up to that time. When the Automatic Tax

Board met, the sum of \$5,336,375.59 was in the treasury unappropriated, and in fixing the tax rate this sum was taken into consideration.

The permanent school fund credit exceeds any sum to its credit prior to this time, the bonds of the fund having increased more than \$3,000.00 during the past two years. There is a balance in the available school fund of \$1,713,817.01 which balance is considerably greater than the balance in the fund at any previous time.

I have communicated to you in a separate communication, the earnings of the State, by reason of investments in United States government securities made by the Treasurer under authority given by the Legislature and in my communication with respect to the enactment of a depository law is disclosed the earnings of the State under this statute. The depository system is composed of 87 National and 118 State banks.

It is gratifying to communicate to you the condition of the Treasury which is better than at any time previous, and I respectfully urge your interested consideration of the printed report when it is available.

The Comptroller's Department.

The report of this department simply coincides with that of the Treasury Department with respect to State funds. I am unable to give you a summary of this report which is now in the hands of the printer and will be distributed among your membership as soon as the printed copy is available.

General Land Office.

The increase in the volume of business handled was perhaps greater in the Land Office than in any other department of the State government. This large increase was due to the discovery and the development of the oil resources of the State.

The report of the Commissioner not only contains a review of the business transacted during the past biennium but gives an interesting history of the growth and development of the oil industry in Texas, as well as much historical data with respect to the Land Office.

The remittances received by the department during the last biennium amounted to \$7,699,418.96, which exceeded the receipts of the previous biennium by \$3,170,712.18. The sale of all of the surveyed public school land was practically completed May 2nd,

1920. The Commissioner advises there will be some further sales by reason of forfeiture as well as a few unsurveyed scraps which will be found. He reports the total permanent school fund to be \$71,892,959.93 received from the sale of school land including receipts from some mineral developments.

State Highway Department.

The report of this department discloses that the State's share of the revenue from motor vehicle registration was \$3,439,969.64 of which amount \$2,873,225.56 was available for State aid.

During the period of 1916-1920, Texas pro rata share of Federal aid was \$16,100,404.77. On December 1, 1920, the department was engaged with a total of 384 active projects, an increase in the two years of 258. Involved in this work is mileage to the extent of 4082 miles, an increase over the last two years of 2576 miles. Of this amount 976 miles have been completed and are under maintenance, with 2039 miles at present under construction.

The increase in the amount of Federal aid appropriated to active projects during the past two years was \$11,294,481.86; the increase in the State aid allotted during the two years being \$1,681,382.68, with a balance in the State Highway Fund of \$2,365,368.32.

The total operating expense of the department for the biennium just closed were \$329,606.05.

The registration of motor vehicles has increased during this period from 250,201 to 422,476.

The department has received from the Federal government equipment appropriations: 1161 trucks, 168 automobiles, miscellaneous construction equipment to the value of \$970,462 or a total of \$4,335,091. A large portion of this equipment has been distributed to the various counties of the State including 1006 trucks and 120 automobiles.

State Health Department.

This department has perhaps accomplished more during the past biennium than during any other period of its existence. One of the first acts of the department under the new administration was to cause to have made an indexical survey of the health conditions throughout the various sections of Texas. The result of this survey has been compiled and completed and will be at the disposal of your membership as soon as publication is completed.

In accordance with an act of the Thirty-sixth Legislature, the border and coastal quarantine has been transferred

to the Federal government. That act provided for the sale of this property to the Federal government but the department has been unable to close the contract on account of the inability of the Attorney General to prepare proper papers which is brought about by defects in some of the titles.

From the efforts of the department, the American Red Cross has made available for public health work under the direction of the State Health Department, \$250,000 annually and through the cooperation of the Red Cross organization the department was enabled to organize a Bureau of Child Hygiene through which much good has been accomplished.

In July of the past year, the department was confronted with a very grave problem when bubonic plague made its appearance in the cities of Galveston and Beaumont. By reason of this menace, the State and Federal governments and the municipalities involved expended approximately one million dollars in the plague work. Apparently the work accomplished by the department has been more effective than has been the case in any other infected district or port. It has been more than two months since a case of human plague has been reported and more than six weeks since an infected rodent has been found.

The recommendations of the State Health Officer as contained in his printed report are commended to your consideration.

The Department of Agriculture.

The report of this department discloses the various lines of activities engaged in by it together with the results accomplished. In the report which is available for your membership, you will find that the retiring Commissioner has made a number of recommendations which he deems important to the welfare of that department.

Pure Food and Drug Department.

There is contained in the sixth biennial report of the retiring Commissioner, R. H. Hoffman, Jr., much interesting data and valuable information with respect to the functions performed by the department.

A comparison is made in this report of the work of this department with that of the United States Food and Drug Department which discloses that the appropriation for the past fiscal year of the United States Food and Drug Department was \$893,426.06 as compared with \$54,950 for the State Food and Drug Department. The United States

department procured 244 criminal convictions as against 573 by the State department. The Federal department collected in fines \$18,160 as against \$22,105.15 collected by the State Department. In addition to the fines collected, this department collected in fees \$10,185.25.

The total number of samples of food and drugs analyzed by the Texas department was 5816. A total of 538,142 pounds of food unfit for human consumption was destroyed.

I invite the special attention of the Legislature to the recommendations with respect to this department as contained in the report.

State Fire Insurance Commission.

Perhaps one of the most interesting features of the report of this department is revealed in the efforts of the Commission to eliminate therefrom all political positions substituting therefor employees based entirely upon their qualifications and ability to serve the State efficiently, the Commission in the selection of employees have been governed by strict standards of business efficiency rather than by political standards. This is largely in accord with the civil service, the standard governing a large majority of the positions in our Federal government.

The report discloses that some 78 towns and cities have been inspected and re-rated during the past year. During the year 1918, good fire record credits were extended to 87 cities and towns amounting to approximately \$424,620.84. During the year 1919 additional credits were granted to 107 cities and towns approximating \$647,770.95.

The funds for the maintenance of this department are derived from a tax of 14 per cent of the gross fire insurance premiums collected in this State, the tax being collected from the fire insurance companies doing business in Texas. Up until an amendment was adopted by the Third Called Session of the Thirty-sixth Legislature increasing the maximum expenditures to \$212,500 per year, maximum amount which could be expended by the Commission per year was only \$130,000. The Commission believes that with the additional funds made available by this amendment to the law, the department will be able to increase to a very large extent the work which has heretofore been accomplished by the limited funds at its disposal.

Game, Fish and Oyster Commission.

The report of this department discloses that the net revenues of the de-

partment during the past year were greater than the combined revenues for the preceding four years. It is also shown that during the past biennium there has been a very decided increase in our native game and the Commissioner discloses in the report the reason of this increase. Attached to the report of the department is a complete financial statement covering the receipt and disbursement of money which gives an itemization of the various sources from which the revenues of the department are derived.

Industrial Accident Board.

The report filed by this department discloses that the total number of accidents reported during the past fiscal year was 66,000, with a total of 400 fatalities. Out of the number of accidents embraced in these figures the Board adjusted some 609 disputed claims, from which adjustments 128 claims have been taken to the courts. Embraced in the report made by this department are a number of recommendations to which your attention is invited when the printed report is available.

Industrial Welfare Commission.

This department was created by an act of the Thirty-sixth Legislature and embraced in a report of the Secretary are recommendations with respect to the needed amendment for the perfection of the act itself. The report gives an exhaustive survey of the work done by the department to which your interested attention is invited.

Bureau of Labor Statistics.

By referring to the sixth biennial report of the department an idea of the work undertaken and accomplished will be had. Embraced in the report is a large volume of statistical data which I am sure will prove interesting to your membership as you find an opportunity for its perusal.

Warehouse and Marketing Department.

The report of this department reveals that its work is divided into four divisions.

The Warehouse Division which has under its supervision 122 warehouse and marketing organizations, 102 of which are actively engaged in the business. A total of 330 warehouses are under the direct supervision of the department, 90 new warehouse and marketing organizations having been incorporated during the past biennium.

The Marketing Division, organized

September 1, 1919, was made possible by an appropriation for that purpose at the hands of the Thirty-sixth Legislature. In a summary of the amount of produce handled through the agency of this division, the value of same is given as aggregating approximately \$3,454,000.

The Division of Weights and Measures was also provided for by an act of the Thirty-sixth Legislature. This division has under its supervision the Uniform Weights and Measures Law.

The Gin Division has under its supervision 3415 gins which the department under the law is required to inspect annually.

I can not too strongly urge not only the continuance but the strengthening of the work of this department as organized at the present time. It should be provided with all facilities essential towards realizing the purposes which caused its creation.

A warehouse and marketing system is always urgent in a State whose basic industry is agriculture. Such a department now, however, is of unusual importance because of the general demoralization which has prevailed in the past few months and continues to prevail in all markets where agricultural products are sold.

I believe that a perfected warehouse and marketing system such as this department is seeking to weld together should receive encouragement and support at your hands to the end that the agricultural interests of the State may be served in the more practical manner.

I also urge the enactment of such legislation as will permit farmers to form co-operative organizations to assist and protect them in the most profitable and feasible system of marketing that may be put in operation.

State Normal Schools.

This branch of the State educational institution embraces six normal schools, as follows:

Southwest Texas State Normal, San Marcos, Texas.

North Texas Normal, Denton, Texas.

West Texas Normal, Canyon City, Texas.

East Texas Normal, Commerce, Texas.

Sul Ross Normal, Alpine, Texas.

During the past two years, the report of the Board of Regents of these institutions is authority for the fact that normal college standards have improved materially. The work of elementary character and the work of col-

lege rank have been greatly differentiated, which assures more efficient instruction in both college and elementary courses.

Attention in this report is directed to the necessity of good salaries in order to procure high class talent in the faculty of the normal colleges, the main duty of which is to train the public school teachers.

At the crisis in normal school salaries the Special Session of the Thirty-sixth Legislature made an appropriation enabling the normal schools to increase the salaries of teachers in an amount of approximately 20 per cent.

State Reclamation Department.

The biennial report of the State Reclamation Engineer is at this time in the hands of the printer and will shortly be available to your membership.

Board of Water Engineers.

The report of this department as submitted to me has been transmitted to the printer, and will be distributed among your membership as soon as the printed copies are available.

Commission of Appeals.

Since the Commission of Appeals was created I am advised that 450 causes have been referred to it by the Supreme Court. Of this number, 392 have been disposed of, 80 of which have not been finally adopted by the Supreme Court; 44 are now under submission before the Commission, and the 14 remaining have been set for hearing.

The data given above discloses the effective work done which has assisted materially in relieving the congested condition of the Supreme Court docket.

Prison Commission.

The importance of this branch of the State government is such that I deem it advisable to communicate same to you in a separate message.

Other Departments.

I am unable to give you a summary of the business transacted by the departments omitted by reason of the fact that the biennial reports of same are now in the hands of the printer and are unavailable for use. I invite the attention of your membership to these printed reports when they are made available.

Respectfully submitted,

W. P. HOBBY,
Governor of Texas.

Governor's Office.

Austin, Texas, January 12, 1921.

To the Thirty-seventh Legislature in Regular Session.

Gentlemen: I am transmitting herewith for the information of your membership, the report of a committee commissioned by me at the request of the Texas Chamber of Commerce, for the purpose of investigating conditions with respect to the pink boll worm in the cotton growing area in Mexico along the Texas border.

Respectfully submitted,

W. P. HOBBY,

Governor.

To Hon. W. P. Hobby, Governor, Austin, Texas.

Dear Sir: The undersigned constituting a commission appointed by the Texas Chamber of Commerce and commissioned by you to visit the Laguna district in Mexico and investigate conditions resulting from the presence of the pink boll worm of cotton, beg leave to submit the following report:

The commission assembled at San Antonio on the morning of Friday, November 26th, and proceeded thence to Torreon, in the State of Coahuila, Mexico, our journey having been facilitated by the kindly offices of Senor Garcia, Mexican consul at Dallas, and the consul general of Mexico at Laredo, who in our behalf waived the customary regulations governing the entry of foreigners into Mexico.

When the commission arrived in Torreon, which is the business center of the Laguna district, we were cordially received by representatives of the Agricultural Department of the federal government of Mexico and of the Camera Agricola de Nacional del Laguna, an organization comprising the principal land owners and cotton growers of the Laguna district, who placed at our disposal every necessary facility for a thorough inspection of cotton growing conditions in the district and supplied us with much valuable data.

Due acknowledgment of the many courtesies extended to us by public officials and private citizens is made in a separate resolution of the commission attached hereto.

The Laguna district is an irregular shaped valley of about 2000 square miles, almost completely surrounded by mountains. It is situated about 250 miles south of the Rio Grande river, on the

boundary line of the States of Durango and Coahuila, Mexico. It derives its name from the fact that it was formerly a lake (Laguna), serving as an outlet of the Rio Nazas. As recently as 1839 a part of the Tlahualilo property visited by the commission was under water and at present there are considerable areas near San Pedro, Coahuila, which are filled with water when the river is at a flood stage. The soil is a deep alluvial deposit, very rich and well adapted to the culture of cotton.

Torreon, the principal city of the Laguna, has an elevation of about 4000 feet. Generally speaking, this section of the country receives an average of six to eight inches rainfall annually.

In the months of May, June, July and August temperatures range from 95 to 100 degrees F. during the day, down to about 64 degrees (average) at night. In the winter months of December, January and February, the thermometer registers from 69 (average maximum) to as low as 24 degrees F.

We attach as a part of our report a tabulated statement of temperature averages at Tlahualilo for the years 1904 to 1920 marked "Exhibit A."

From monthly records kept by the Tlahualilo Company at Tlahualilo, Dgo., covering a period of fifteen years, extending from 1904 to 1918, inclusive, the average rainfall for that region has been 8.07 inches per year.

Annual Precipitation in Inches at Tlahualilo.

Year.	Precipitation.
1904	6.09
1905	11.31
1906	12.09
1907	8.17
1908	6.43
1909	13.32
1910	3.91
1911	6.98
1912	8.56
1913	12.79
1914	11.42
1915	4.63
1916	4.30
1917	3.46
1918	7.14
1919	11.19

We attach hereto a tabulated report of rainfall by months for the years 1915-1920 at Zaragosa ranch of the Tlahualilo estate, and mark it "Exhibit B."

Cultural Methods and Production.

This section is semi-arid and depends upon the water from the Rio Nazas and Rio Agua Naval for irrigation. The water usually comes down some time between August and December and is applied at a rate which is equivalent to three to four feet deep to the fields that are to be planted in the following year. With an occasional rain in June or July or a small amount of water from the river during these months, the fall irrigation suffices for the crop. As there is not enough water for all the land, only a small portion is cultivated, and on some plantations a portion of the land regularly lies fallow for several years at a time. Under this system of cultivation the land has to be well prepared and thoroughly cultivated in order to conserve the moisture. The cotton planting begins about February 15th and may continue to June if there are June rains or water in the river. The land is planted as soon as possible after it dries out, as it is necessary to do this in order to secure germination.

Cotton is the principal crop grown in this section, and while there are small areas devoted to corn, wheat, beans and alfalfa, most of the planters use their land year after year for cotton and buy the feed needed for their domestic animals from elsewhere. There is no very reliable data available on the acreage and production in the Laguna but the annual production varies from 60,000 to 150,000 bales, with an average crop of 75,000 to 80,000 bales. The yield varies from one-fourth to two bales per acre, with an average of one-half bale to three-fourths of a bale. All of the cotton is of the short stapled varieties.

Killing Frost Dates.

The date of the first killing frost varies from October 29th to December 25th. The dates for the years 1904 to 1919 at Tlahualilo are as follows:

1904, November 13; 1905, December 25; 1906, November 21; 1907, November 14; 1908, October 29; 1909, October 9; 1910, December 24; 1911, November 29; 1912, December 24; 1913, December 6; 1914, January 11; 1915, November 19; 1916, November 2; 1917, November 4; 1918, October 31; 1919, December 25.

Extent of Investigation.

The commission spent five days at Torreon and visited ten fields in different regions of the Laguna, some of the fields

visited being seventy-five or more miles apart. All fields visited were parts of the largest and best managed haciendas in the district. Special effort was made to confine our inspection to fields that are typical of the district, and in this we were greatly aided by Dr. Gabriel Itie, representative of the Agricultural Department of the federal government of Mexico, and Senor Juan Castillon, president of the Camera Agricola, to both of whom the commission is under obligations for many courtesies.

Upon arrival in a field of cotton the members of the commission would scatter widely, and at a given signal each member would cut the stalk of cotton nearest to him. From these stalks all burrs and bolls (excepting the very young and immature bolls) were picked off and placed in one pile. The burrs and bolls were then divided into two piles, one containing those which showed damage of 50 per cent or less, and the other pile containing those showing damage by pink boll worm of more than 50 per cent. Each pile was carefully counted and the results were as follows:

Number of burrs and bolls showing 50 per cent or less damage by pink boll worm—Field No. 1, 200; field No. 2, 60; field No. 3, 34; field No. 4, 151; field No. 5, 42.

Number of burrs and bolls showing more than 50 per cent damage by pink boll worm—field No. 1, 128; field No. 2, 310; field No. 3, 62; field No. 4, 259; field No. 5, 70.

Percentage of burrs and bolls showing more than 50 per cent damage—Field No. 1, 39 per cent; field No. 2, 83.7 per cent; field No. 3, 64.5 per cent; field No. 4, 63.1 per cent; field No. 5, 59.8 per cent. Average, 62 per cent.

In addition to fields in which counts were made we visited many fields where members of the commission made individual examinations, which without exception showed infestation as great as revealed by the actual count tabulated above.

We interviewed many land owners and cotton growers whose oral estimates confirmed our own findings. The yield of cotton in the Laguna this year was diminished in some fields by insufficient irrigation water and by damage of pests other than the pink boll worm, but in the main the land owners agree that the losses this year due to the pink boll worm alone will approximate fifty per cent of the crop. The harvest this year was slightly more than thirty days late and many growers believe that this

increased the loss due to pink boll worm over what it would have been if the harvest period had been earlier, although none of them manifested any disposition to minimize the seriousness of the situation or to conceal their apprehension of even greater losses in the future.

On the Tlahualilo Hacienda a complete and accurate system of records has been kept for many years. This estate is owned by British and American capitalists and is operated in an efficient manner by English and American supervision. The hacienda comprises fifteen ranches with a total of more than 100,000 acres and is equipped with modern tools and implements and is operated according to the best agricultural practice. Twenty thousand acres were planted in cotton this year and careful records kept of the yield and damage by insects on each one hundred and twenty-five acre field. These data are the most complete and accurate the commission was able to obtain and confirm in every respect our own investigation on other haciendas.

The average yield of cotton on the Tlahualilo hacienda for fifteen years has been slightly more than one-half bale per acre, the maximum in some years exceeding one bale per acre. The average yield has been considerably reduced by unsettled conditions due to revolutionary activities in this district in recent years. The yield this year will be fifty per cent of an average, or one-fourth bale per acre. Expressed in volume, this amounts to a loss of 5000 bales, due entirely to pink boll worm. In the four years since this pest was discovered on this estate the losses caused by it amount to 12,000 bales, representing a money loss in excess of a million and a half dollars in American gold. Some damage was done this year by the bronze and cotton lice, but separate account was made of these losses and they are not included in the loss figures quoted above.

Careful observations and counts made in the field by trained scientific employees of the owners show that between 38 per cent and 40 per cent of the crop was destroyed this year by the pink boll worm. The boll weevil has never inflicted any serious damage to the crop on this estate and the owners do not fear this pest, although owners of other haciendas farther south report considerable damage by the boll weevil.

• Damage to Lint Cotton.

In addition to the destruction of cotton in the field, the pink boll worm discolors and otherwise lowers the grade and injures the staple of the cotton which escapes destruction. In many cases the damage to bolls is not sufficient to prevent opening and the partially damaged locks are picked by laborers and go to the gin with undamaged cotton. A careful examination by expert cotton men on the commission of lint cotton at the gins and in bales revealed a loss in grade and staple equal to one full grade according to American cotton standards. This estimate was confirmed by an examination of samples of cotton grown on the Tlahualilo estate prior to the appearance of the pink boll worm.

Damage to Cotton Seed.

Samples of seed were taken at several gins and found to be infested with the pink boll worm, although no count was made to determine the per cent of infestation of seed. Ginners report a decreased weight of seed from a given amount of infested seed cotton, as many infested seed are cut up by the gin saws and others are thrown out in the trash from the cleaners.

Control Measures in Mexico.

The intensity of the infestation in the Laguna district has steadily increased since its first appearance. Because of the absence from the country of many land owners during recent revolutionary disorders and the lack of stable government very little effort has been made by the Mexican government or cotton growers to control this pest. Recently an order has been issued by the government requiring all cotton stalks of this year's crop to be cut and burned by December 15th. This work is now under way, but many growers expressed the belief that it is a physical impossibility to comply with this order within the time limit.

The commission inspected several fields where stalks were being cut and burned, and while this clean-up will undoubtedly destroy many worms, enough green bolls and infested locks of seed cotton are left on the ground to infest the fields heavily next year.

The problem of control is made more difficult in the Laguna district by soca

or volunteer cotton which harbors the worm and gives it a breeding place early in the season. The influence of contiguous fields of volunteer cotton upon the intensity of infestation in fields of planted cotton is graphically shown in a map of the fields of the Tlahualilo estate attached hereto and marked "Exhibit C." This map shows that the degree of infestation is highest in fields adjoining areas of volunteer cotton and lowest in fields most remote from this source of infestation. Several growers report that infestation is lighter in fields in which no cotton has been grown for one or more years than in fields which have been planted in cotton continuously.

It is impossible within the limits of this report to set forth fully all the pertinent facts concerning the depredation of the pink boll worm in the Laguna district which came under our observation, and we must content ourselves with presenting only the most important facts which have a direct bearing upon present and future conditions in Texas.

Summarizing the results of four days of field investigations and interviews with a large number of cotton growers in the Laguna district, we submit for the serious consideration of your excellency and the people of Texas, the following facts and conclusions:

1. The pink boll worm constitutes a serious menace to cotton production in the Laguna district of Mexico.

2. In our opinion cotton cannot long continue to be grown there with profit unless some means of eradication or control not now known are discovered and applied.

3. A careful study of conditions reveals nothing which justifies us in believing that the pest will be eradicated from the Laguna district in the near future.

4. We believe that climatic and physical conditions in the Laguna district of Mexico are sufficiently similar to those of many large cotton producing areas of Texas and other cotton growing States to justify the belief that the pink boll worm will do as great damage in these areas as it has done in Mexico if these areas ever become infested.

5. The ownership of land in large tracts under one management and the annual flooding of land for a month or more for irrigation are aids to control of the pest in Mexico, which do not exist in the United States and we fear that, if the pest should become established in the United States, its spread

might be more rapid and its control more difficult, unless, in the meantime, more effective methods of control are found than are known at present.

Your commission does not feel that it is authorized or competent to deal with the technical and scientific questions involved in eradicating or controlling this pest, but a sense of responsibility to the people of Texas, and particularly to those directly interested in the cotton industry, compels us to submit to you and through you to the people of Texas the following recommendations:

1. That the Governor of Texas take steps to have the proper agencies of the Federal government negotiate with the Federal government of Mexico for more thorough co-operation in the joint study of this dangerous enemy of the cotton industry and the working out of quarantine and other measures that will eradicate or control it.

2. That the Governor of Texas endeavor to have the United States government obtain permission from the Mexican government to establish a scientific station in the Laguna district to study the pink boll worm and carry on research work to the end of finding a way to save the cotton industry from its ravages, and that if the Federal government should fail or refuse to undertake this work promptly that the State of Texas establish such research laboratory there.

3. That you communicate the substance of this report to the Senators and Representatives from Texas in the United States Congress and call on them to obtain such a liberalizing of laws and regulations governing immigration from Mexico as will discourage smuggling Mexican laborers across the border. We make this recommendation because we find that it is a universal practice of Mexican agricultural laborers to pick waste seed cotton and without removing the seed make use of it in pillows, coverlets and mattresses which will harbor the pink boll worm for a long period of time. If immigration restrictions are liberal Mexican laborers coming into the United States will pass through ports of entry which will permit careful inspections and, if necessary, fumigation of such carries of the pink boll worm. If immigration restrictions are severe and expensive smuggling will be encouraged and it will be almost, if not entirely, impossible to keep the pink boll worm from entering the United States in this manner.

4. We urge upon the Governor of

Texas to endeavor to have the proper United States authorities negotiate with the proper Mexican authorities to establish co-operative quarantine stations in Mexican territory at some distance from border cotton areas, so as to prevent the introduction of the pest into Mexican areas contiguous to American border cotton areas.

5. We recommend that the United States Department of Agriculture, the State Department of Agriculture and the Agricultural and Mechanical College of Texas join in formulating practical and effective clean-up measures for Texas farms to the end of reducing to a minimum the danger of the introduction and spread of this and other crop pests and that when such measures have been formulated that you cause them to be brought to the attention of Texas farmers with an urgent appeal for their universal adoption.

6. We recommend that the public agencies named above be urged to co-operate immediately in devising an effective method of fumigating cotton seed for planting and that all cotton growers be urged to fumigate all planting seed as a wise precaution against this dangerous pest.

7. We indorse and approve the principle of local quarantine as offering the best hope of eradicating the pink boll worm where it now exists or may in the future be found to exist in Texas. We believe such quarantines are justified only by the general interest of all people in the protection and preservation of the cotton industry and that the expense and losses resulting from such protective measures should be borne by the public, in whose behalf they are instituted, and should be apportioned fairly between the State and Federal governments.

In conclusion we thank you and the Texas Chamber of Commerce for organizing this commission and making possible this investigation. It is the deliberate and unanimous judgment of the commission based upon the most thorough investigations that the pink boll worm threatens the cotton industry of the entire United States, and we appeal to all the people to leave nothing undone that will avert the menace.

Respectfully submitted,

WALTON PETEET,

Chairman, Representing Texas Chamber of Commerce.

J. M. CAMPBELL,

Representing Texas Farm Bureau Federation.

L. B. MCCAIN,

Representing United Cotton Growers Association.

EDWARD M. GOLDSTEIN,

Representing Texas Cotton Association.

W. H. NICHOLS,

Representing Farmers' Protective Association.

ROLAND HARWELL,

Representing El Paso Chamber of Commerce.

E. L. LONG,

Representing Farmers' Protective Association.

E. F. SHROPSHIRE,

Representing Texas Farmers Union, Texas Ginners Association and Texas Division of American Cotton Association.

Copies of this report were mailed to members of the commission for their approval and their signatures transferred to this original copy by the chairman.

WALTON PETEET,

Chairman.

Governor's Office,

Austin, Texas, January 13, 1921.

To the Thirty-seventh Legislature in Regular Session.

Gentlemen: Deficiency appropriations for the support and maintenance of various departments and institutions of the government authorized pursuant to that provision of the law are as follows:

Department of Education—Contingent expenses.....	\$ 500
Department of Education—Text Book Commission.....	750
A. & M. College—Animal Husbandry, \$5000; Architecture and Architectural Engineering, \$1000; Chemistry and Chemical Engineering, \$5000; Dairy Husbandry, \$3000; Horticulture, \$2500; Military Science and Tactics, \$1500; Physics, \$1000; Poultry Husbandry, \$750; total.....	19,750
A. & M. College—Repairs to buildings, \$10,000; outside improvements, including drives, fences, shade trees and grading, \$5000; furniture and equipment for dormitories, \$4000; five cottages for each year, \$6000; extension of sewer, water mains and plumbing, \$4000; total.....	29,000

State Library—Stationery, miscellaneous supplies, postage, freight and express.....	1,000
Adjutant General's Department—Moneys for transportation, subsistence and all other expenses of military forces when ordered by the Governor under the authority of the Constitution and laws of this State.....	17,000
State Tax Commission—Appropriation for extra help.....	200

Grand total\$68,200

Respectfully submitted,
W. P. HOBBY,
Governor.

Governor's Office,
Austin, Texas, January 12, 1921.

To the Thirty-seventh Legislature in Regular Session.

Gentlemen: The right and privilege of men and women to vote on equal terms is now fixed in the Constitution of the United States. Three years ago women possessed no right of suffrage whatever in this State. The acquisition of the right in its entirety and without qualification in so short a period of time is a development I shall always look back upon with gratification and I shall always consider it even with increased gratification because it occurred during that period when I served as Chief Executive of the State. Not in any effort to claim responsibility for so great and so widespread an achievement since one unit of the nation is too small to accomplish such a result and not in any effort to claim that such a result could be accomplished even in one of those units by one individual but to point out and emphasize the conspicuous part of Texas in that leadership which contributed so effectively to the success of this cause, I deem it proper to address you upon the practical operation of the system.

Texas not only vested women with the privilege and power of voting in party primaries and conventions at a time when that act impressed the public thought of the country favorably but ratified the equal suffrage amendment to the Federal Constitution at a time when the fate of the amendment was hanging in the balance. It gave courage to States whose course might have been backward instead of forward with respect to such a measure in such a form. The contribution of Texas to the cause of equal suffrage, to say the least, therefore, was important and potential.

To bring about conformity in Federal

and State Constitutions, the Constitutional qualification for voters in Texas, levying a poll tax upon male persons only as a prerequisite for voting should be altered, notwithstanding the adoption of the amendment at the general election in November last extending the poll tax levy upon both men and women. The submission of an amendment, therefore, by the Thirty-seventh Legislature, the first regular session to convene since the adoption of the Nineteenth Amendment, is in order.

I take the liberty of submitting for your consideration the form of two proposed amendments which, in my judgment, are fair alike to both male and female voters and will better the conditions under which elections are held in this State.

I recommend that Section 2, Article 6 of the Constitution be amended by providing that every person, in lieu of "every male person," subject to the ordinary qualifications of voters, may be eligible to vote in Texas, and providing further, that only native born or naturalized citizens of the United States, with the customary residence provision, shall be qualified to vote, and eliminating those who have merely declared their intention to become citizens of the United States; and providing further, that either the husband or the wife may pay the poll tax of either or both and at the same time, take separate receipts therefor. For the convenience of the voters, it is timely, also, to authorize the Legislature to provide a method for permitting qualified voters to vote even though absent from their places of residence.

I recommend that Section 3, Article 7 of the Constitution be amended by providing that the poll tax collected by the State shall be 50c, while towns and cities may collect a poll tax of 50c and counties may collect a poll tax of 25c.

Since the right of suffrage has been extended to women, the voting population of the State has been doubled. Since the full amount of the poll taxes levied by the State is set aside for the public free schools, the revenue derived by the schools from the collection of the taxes will not be less in volume if cut in half at a time when the voting population is doubled. In fact, the revenue may be increased because it will encourage more persons of both sexes to pay their poll tax and the burden will fall lighter upon the citizens of the State. The same considerations prompt me to recommend that the amount which cities and towns may collect be corre-

spondingly reduced, while the amount the counties may collect remains unchanged and limited to a very small sum.

Generally the levying of the poll tax upon both men and women will merely operate as a double tax upon the entire citizenship. The practical effect of reducing the taxes, as I have suggested, will be, in most cases to relieve the family of an additional tax. The voting strength of the home by the adoption of Nineteenth Amendment has, in most instances, been doubled. I can not see, however, that it is necessary to also double the amount of poll tax required under the law. Under the proposal I have made, while the voting strength of the home will be doubled because of the equal suffrage amendment, yet, the taxes paid out by those who support the home will not be increased.

It is especially desirable now to limit the right of suffrage only to those who are natural born or naturalized citizens of the United States. Such limitation will elevate the voting standard of Texas and when the right to vote is accorded to Americans only, it will mean that American ideas and American ideals are recognized with a new force and a new purpose in Texas.

Therefore, I have submitted, for your convenience, the form of each of these amendments which are hereto attached and which are companion measures. I urge their adoption by you not only because of the desirability of making our Constitution plain and in harmony with the new conditions but to reduce the poll tax charge imposed against the citizenship of the State and lighten the burden thereof, and to give a voice to none but Americans in the affairs of our government.

Respectfully submitted,
W. P. HOBBY,
Governor.

Governor's Office,
Austin, Texas, January 12, 1921.

To the Thirty-seventh Legislature in Regular Session.

Gentlemen: In accordance with a resolution adopted by the Thirty-sixth Legislature, I requested the State Department of Health to make an inspection and report on the condition of the various asylums and hospitals for the insane in this State.

A close inspection was made by that department, and I am transmitting herewith for the information of your mem-

bership, the report of the State Health Officer with respect thereto.

Respectfully submitted,
W. P. HOBBY,
Governor.

Texas State Board of Health,
Austin, Texas, July 12, 1920.

Hon. W. P. Hobby, Capitol, Austin, Texas.

Dear Sir: Herewith I transmit to you report of inspection of the various insane asylums of the State. The numerous demands on this department account for the delay in preparing this report for you.

I wish to say, however, that the inspection was very carefully and thoroughly made, and I am sure you will find it a good index to the condition and needs of these institutions.

Yours very truly,
C. W. GODDARD,
State Health Officer.

Texas State Board of Health,
Austin, Texas, May 15, 1920.

Hon. W. P. Hobby, Governor of Texas, Austin, Texas.

Dear Sir: I transmit herewith report of inspection of the various asylums and hospitals for the insane, made by this department between the 17th and the 29th of March, 1920, in obedience to your request and resolution adopted by the Thirty-sixth Legislature.

It is not considered within the province of this report to bring to your attention the many points of excellency in the establishment and management of each of the institutions for the insane, knowledge of which you may have from other sources, but to call more especially to your attention certain needs of these institutions, which, if relieved by proper authority, will result in their improvement. Because of the emphasis placed upon these needs, it should not be concluded that our institutions for the insane are not as ably and efficiently managed as could be expected with these needs taken into consideration.

Asylums and Location.

State Lunatic Asylum, at Austin.

The State Lunatic Asylum, at Austin, occupies one of the most beautiful and picturesque locations in the State. It is situated on a natural elevation over-

looking the city of Austin and the beautiful Colorado river, with gentle slopes, which give perfect natural drainage; and it seems to one in going over these beautiful grounds that the great works of nature especially prepared this wonderful place for the poor unfortunates committed to this institution, many of whom will spend their earthly allotted time within its confines.

Southwestern Insane Asylum.

The Southwestern Insane Asylum is located three or four miles south, or rather southeast, of the city of San Antonio, on the crest of a most attractive elevation overlooking the city and the beautiful San Antonio river. It has a perfect, natural drainage from every angle of the compass, and the high rolling country in this vicinity makes it an ideal location for an institution of this kind.

North Texas Hospital for the Insane.

The North Texas Hospital for the Insane is located about one mile northeast of the city of Terrell, on a beautiful anticline, which is well drained in every direction.

East Texas Hospital for the Insane.

The East Texas Hospital for the Insane is located about one mile northwest of the town of Rusk, at the foot of a very beautiful and picturesque range of hills, for which this part of Texas is noted. This is on the site of the old penitentiary, the prison building having been overhauled and converted into a splendid hospital for the insane.

Buildings.

State Lunatic Asylum, at Austin.

Some of the buildings of this asylum were constructed over sixty years ago, when about the only idea of construction of buildings for hospitals for the insane was to have four walls and a roof. The outer walls of these old buildings are substantially constructed of stone, and are in a splendid state of preservation; but their wooden floors are rotted in places and are, for the most part, so badly worn that when scrubbed, the water leaks through and damages the ceiling and walls below. The wooden floors should be torn out and replaced with floors of cement or tile construction, which would add greatly to the durability of the buildings, the sanitation and other conveniences of the in-

stitution. Throughout the earliest constructed of the buildings, the ceilings as well as the floors should be replaced with new construction. At comparatively small cost these old types of building can be converted into modern fire-proof structures. This is particularly true of what are known as the administration building, the north building and the west wing, containing the female wards, the main part of which was built about forty years ago.

In all bathing rooms in the old buildings cement floors have been substituted for the wooden ones, in order to obtain better sanitation and save deterioration.

In convalescent female ward No. 2, in west wing the bath and toilet room should be rebuilt, as it is a menace to the safety of the patients; and the same is true of the old bathrooms and toilets to the north building for male patients, these portions of the structure of the buildings being in a weakened condition.

At the female ward for excitable patients, on the third floor of the west wing, the roof was found to leak in places, and the ceiling was needing considerable repair.

The interior of C-west ward for the worst women patients, was badly in need of paint.

In west wing convalescent female ward the clothing room is too small.

Hospital No. 2 for males has a capacity of fifty-one patients, there being forty-nine in this hospital the day of this inspection, March 17, 1920. The patients kept here are a very helpless class, as among them are epileptics, idiots and imbeciles. This is mentioned to emphasize the fact that the building is not fireproof. It was formerly a laundry building, but was converted into a hospital about six years ago.

The female infirmary for white patients is a three-story building, situated two hundred to three hundred feet southwest of the west wing of the main building. The operating room is on the third floor, and, as there is no elevator to this building, patients who are operated on have to be carried on stretchers up three flights of stairway. There is an elevator shaft, however, and an elevator should be installed by all means. There should be cement walks to the main building and other female wards for the more convenient transfer of patients.

This hospital is not a fire-proof building, but in all respects, other than the needs mentioned above, it seems to be ample for its purpose.

The colored female hospital is a modern, well-designed and substantial building, and is fire-proof, except that the ward floors are of wood.

None of the other negro buildings are fire-proof. The metal ceiling in nearly all of them is so badly rusted, due to leaking of roofs and floors, that it should be replaced with new ceiling. These buildings should have concrete floors throughout.

The tubercular ward for white men is not fire-proof, and fire escapes are needed.

The large dining hall and kitchen occupy the first floor of a building which stands a short distance back of the Administration building. An average of one thousand patients eat their meal three times a day in this hall the year around. It is heated only from the open kitchen to one side and by pipes passing through, carrying steam to the kitchen. This heating is very inadequate.

The metal ceiling is rusted away in places; the tile floor in the kitchen is badly worn, and the screening was in need of repair.

The dance hall is above the dining hall. The roof needs repairing; or, in fact, it might be economy to have a new roof. All flooring except that of the kitchen is of wood. The building, therefore, is not fire-proof.

It should be said that the recently constructed buildings of this institution possess the most modern conveniences of hospitals for the insane.

Southwestern Insane Asylum, at San Antonio.

The original building of this institution was constructed nearly thirty years ago. The interior was found to be in need of paint, though it has been painted several times within the last four or five years, and was painted the last time about a year and a half ago. The floors are of wood, and are badly worn. When this inspection was made, March 19, 1920, the wooden floors in ward 6 in the old original building for male patients were being replaced with concrete floors.

Two new buildings completed in 1915, one for females and one for male patients, are the best of any of the State's hospitals for the insane.

The male tubercular ward is a small building in which there were twenty-eight patients. It was crowded, and is not ample for the number of male tuberculous patients usually confined in

this asylum. The dining room is in a basement, which can not be kept dry in a wet season because of the seepage of water through its walls.

What is known as the male hospital building is used as a receiving ward. The hallways have tile floors, but the rooms have wooden floors, which are generally badly worn. A bad odor was noticeable in some of the toilet rooms.

The building called the Female Infirmary was constructed about twenty-eight years ago. One of the department's sanitary engineers, Mr. L. O. Bernhagen, who accompanied the Assistant State Health Officer on the inspection, says: "The female infirmary should be razed. It is a fire trap, very insanitary, a menace to the safety and health of the inmates confined there. After every severe rain the basement, in which are located the kitchen and dining room, becomes flooded with water and sewage, the sewage backing up through the trap." Dr. Minton adopts this language as his report in reference to this building.

The iron columns of the kitchen porches to the Administration building were badly rusted; in fact, some of them were rusted in two, and paint was badly needed.

North Texas Hospital for the Insane, at Terrell.

The tubercular cottage for men is a small frame house in which only fourteen patients at a time can be cared for. There are approximately fifty men in this hospital who have tuberculosis, and all but the fourteen are scattered through the various wards. This cottage has a porch on the south side, is screened and heated with stoves.

The building known as Old Male Annex has wooden floors throughout, except that the second and third stories have cement floors in the bath and toilet rooms. In ward 5 of this building, the metal ceiling in the bath and toilet rooms was badly rusted.

What is known as New Male Annex No. 2 has wooden floors throughout, excepting some of the bath and toilet rooms, which have cement floors.

These buildings have no fire escapes, but fire hose and chemical fire extinguishers are amply provided throughout in order to afford the greatest possible protection by this means against fire.

There are about two hundred and fifty negro patients of both sexes in this institution, and they are kept in the basement of the Administration building.

This is not an underground basement, but may more properly be designated as the ground story of this building. It is dry and well lighted.

All the hospital buildings as originally constructed are generally in good condition and repair.

The mattress factory should have a larger building. An abandoned horse barn, standing near this factory, might easily be converted into a factory building, which would serve amply for this purpose.

The laundry building is poorly constructed because of so many needless partitions. Its walls and partitions are substantially built, and at small cost it could be converted into a dormitory for employes. This should be done, as there is pressing need for such a dormitory, and a new laundry building should be erected. The laundry, however, appears to be adequately equipped with all necessary machinery.

East Texas Hospital for the Insane, at Rusk.

The large hospital building of this institution, which has been created by remodeling the old State prison building, is fire-proof, and its concrete floors and splendid walls and ceilings present a cozy and comfortable interior. The building is lengthwise from north to south, with front to the east. There should be porches the full length on both the east and the west sides. These porches would immeasurably alleviate the congestion of the wards and contribute to the comfort and well-being of the patients. The patients could be taken off the wards every day in the year and given needed exercise in the open air, and with porches the whole interior of the hospital would flush more freely with fresh, pure air.

The basement under the administration part of the building was in a damp condition.

Sanitation and Health of Inmates.

All four of the State's asylums for the insane in operation in March, 1920, were greatly overcrowded. At each of the asylums respectively at Austin, San Antonio and Terrell, there were approximately two hundred beds more than the proper capacity of these institutions would accommodate, and the asylum at Rusk was fast filling beyond its normal capacity. Under the very able and efficient management of all these hospitals, sanitary conditions were as nearly perfect possibly as they can be made,

taking into consideration the overcrowded conditions and certain needed building improvements and equipment. With roofs leaking and ceilings and floors rotting and giving away, it is impossible to keep down odors and maintain absolute sanitation. This condition in the asylum at Austin especially can not be improved until the dilapidated interiors of some of the old buildings are thoroughly repaired. All sanitary rules are very rigidly enforced, except the use of the common roller towel in some of the hospitals, which use can not be too thoroughly condemned.

Ventilation.

There is no system of ventilation in any of our hospitals for the insane except by means of open doors and windows. Even in the construction of the latest buildings, all improved methods of ventilation have been ignored. Imperfect ventilation is further aggravated in very cold weather by inadequate heating in all the hospitals except the one at Rusk. To prevent suffering with cold, when the temperature is low, the doors and windows have to be kept closed, which results in the air becoming "dead."

At the time of the inspection of the Southwestern Insane Asylum, there was prevalent a mild epidemic of follicular tonsillitis, caused, no doubt, by the congested or overcrowded condition existing in the wards. It is a well known fact that overcrowding of institutions will cause inflammatory affections of the upper respiratory passages, as well as sore throat, colds and pneumonia, and produce epidemics of this character. Unless some steps are taken to remedy the above menace, it would not be surprising to see, at some time, a serious epidemic of these troubles in any of the asylums for the insane, which would cause the State of Texas considerable embarrassment, should the real conditions become generally known.

Crowded Conditions.

In the male receiving ward for new patients in the Administration building at Austin, there are as many as nine beds to a room 12 by 14 feet, with only two small windows at one corner and a door opening into an inner hallway for ventilation; and in male convalescent ward there are as many as eleven beds in such a room. In these wards there were as many as four patients to a room 10 by 12 feet, with only one window and an inner door. These instances rep-

resent, perhaps, the extreme of crowded conditions in this asylum; but nearly all the wards are overcrowded.

In the asylum at San Antonio it was noted that in female ward A there were two to three patients in small rooms no more than ample for one, and twenty-two beds were in a dormitory where there should not have been more than half that number. In female ward K there were one hundred patients in a dormitory constructed for only eighty. In the male tubercular ward there were five to seven beds in some of the rooms where there should not have been more than two; in fact, there should not be more than one tubercular to a room.

In the women's hospital at the Southwestern Insane Asylum there are about twice as many beds in some of the wards as there should be. The ward on the second floor of this hospital, where the most helpless old women are kept, is greatly overcrowded.

The same crowded conditions prevail in the male wards of this asylum that are found in the female wards. Fortunately, in the Mexican male ward, all the patients do outdoor work, thus making the crowded condition in that ward less serious.

Many of the wards in the North Texas Hospital for the Insane are overcrowded, and a generally crowded condition prevails throughout the negro female wards.

In the East Texas Hospital for the Insane, in ward No. 1 for negro male patients, there were thirty-eight beds in one dormitory and twenty-eight in another, when there should not have been more than twenty-five in either; and in ward B, for white females there were forty beds in one dormitory of the same dimensions as the two last mentioned, while the percentage of overcrowding was as great, or nearly so, throughout the whole institution.

Plumbing.

In the older buildings of the State Lunatic Asylum, at Austin, the plumbing and plumbing fixtures are of a very ancient design and worn out. Many of the toilets do not flush regularly, necessitating the carrying of water in buckets to pour into them in order to get enough water to carry away sewage. This defect was very evident in what is known as the Acute Hospital, in which are kept very helpless patients, such as cripples, paralytics and very old men. This works a great inconvenience and unnecessary waste of time of the insuf-

ficient number of attendants whose time should be employed in the giving of more direct attention to the patients. With twenty or more patients going to one commode, it may easily be imagined how aggravated such a situation may become with no more than two attendants looking after more than eighty patients, as was found to be the case on some of the wards of this asylum when this inspection was made, to say nothing of the unwholesomeness of foul odors and the danger of transmission of disease germs by flies if the contents are not immediately carried away after discharged by a patient.

In the Southwestern Insane Asylum, the plumbing fixtures in the older buildings are in a dilapidated condition, and some of the faucets and flush toilets were out of service. In the newer buildings most of the fixtures are in a fair state of repair; however, there are many cases of a type not suitable for an insane asylum, the flush toilets, for instance, having connections that are entirely too small and floor drains having 2-inch piping when such piping should be 4-inch.

A surface examination at the other asylums indicated that the plumbing was in fair condition.

Sewage Disposal.

The institution at Austin has connection with the city sewer, and would have a perfect outlet but for the old, dilapidated plumbing and fixtures in some of the main buildings.

Mr. Bernhagen reports on the disposal plant of the asylum at San Antonio as follows:

"1. Main sewerage lines are of sufficient size and functioning properly.

"2. No provision was made for sterilizing the effluent from the contact filter beds at the disposal plant.

"3. Many filter nozzles were found broken."

Under the head of recommendations, he says:

"1. Chlorinating machine should be installed to sterilize the effluent from the contact beds at the sewage disposal plant before it is discharged into the San Antonio river. According to law, the effluent must be disinfected before it is discharged into a stream.

"2. Broken filter nozzles on the contact beds should be replaced with new ones."

The North Texas Hospital for the Insane has its own sewer system, which discharges its effluent into King's creek

about a mile away. The disposal plant is not yet complete, its completion having been delayed by inability to have purchased material delivered. When completed, this sewer system will serve every purpose for which it is intended.

The sewage system of the asylum at Rusk is in excellent condition, about the only improvement needed being an additional sludge bed at the disposal plant.

Garbage Disposal.

A thorough system of garbage disposal is maintained at each asylum. The garbage is deposited in cans, with tightly fitted covers, in nearly all instances, and is hauled away daily, the part that is fit for feed is given to hogs and the rest is burned in incinerators, maintained at each institution except at Rusk, where such as is unfit for hog feed is hauled away and dumped. At San Antonio where kitchen garbage receptacles were kept in the vegetable room, adjoining the State dining room and kitchen, the management was having constructed outside, apart from any building, a thoroughly screened-in apartment with concrete floors for garbage receptacles, which is a very commendable arrangement.

Heating.

With the exception of the asylum at Rusk, none of the hospitals for the insane are adequately heated throughout. The three larger asylums have expanded their building programs without proportionately expanding their heating plants. The indirect heating system is used in all of these institutions.

The system of radiation in the older buildings of the State Lunatic Asylum, at Austin, is of a very old type and wholly inadequate. In very cold weather the patients have to be put to bed to keep them from suffering with cold. The physicians in the Southwestern Insane Asylum, at San Antonio, said the same was true in their hospitals and the heating is but little better in the North Texas Hospital for the Insane at Terrell. The heating system is the more inadequate because of the dependence for ventilation upon the direct opening of doors and windows.

An appropriation of fifty thousand dollars, available next fiscal year, was made by the Thirty-sixth Legislature for installing a new radiation system in the asylum at Austin, which if used, will remedy the defective heating system in that institution, with the exception of

the need of an additional vacuum pump in the engine room to provide for a quicker circulation of steam through the buildings.

The radiation in the older buildings of the asylum at San Antonio is entirely inadequate. The feed pipes carrying the steam to these buildings, which comprise the group farthest away from the heating plant, have been tapped so that they also carry steam to the newer buildings nearer the boiler room. The chief engineer at this asylum advises that it is not safe to carry more than 100 pounds pressure in the old piping system. A few days before this inspection there was an explosion from a bursting pipe in one of the buildings, though no one was near enough to the explosion to receive injury. Should a very high pressure of steam be thrown into these old pipes, a vast explosion might result with considerable loss of life and damage to property. The vacuum pumps were in a bad state of repair, and would not circulate the steam quickly enough during cold weather. The boilers are located in the basement of a building which contains the reading room and library, the chapel or auditorium, the laboratory and other departments of the institution. The walls of the basement are in bad condition, and considerable water seeps into the boiler room.

Much additional heating equipment is needed in the North Texas Hospital for the Insane, and the entire system now in use should be thoroughly overhauled and repaired or replaced in large part with new equipment. An engine of an old type no longer manufactured, is in use, which requires a third more fuel, it is estimated, than the Ball engine, which does the same work, and if parts become broken they cannot be replaced. It is hazardous to depend on this old out-of-date engine in case of a breakdown of the other.

The boiler capacity and radiation system at the East Texas Hospital for the Insane are adequate to heat the entire institution in the coldest weather.

The boiler capacity at each asylum appears to be ample, though as a precaution against any of the boilers at the Rusk asylum being put out of commission for repairs it would be well to have an additional boiler for this institution, and there should also be two more vacuum pumps.

Fuel oil is used exclusively, except at

Rusk. It was noted that at the Southwestern Insane Asylum serious difficulty was encountered several times during the last winter because of the poor quality of the oil delivered.

Lighting.

A new system of lighting is being installed in the asylum at Austin, which, when finished, will meet the requirements of the institution.

The lighting in some of the old building groups, at San Antonio, is very inadequate. Some of the rooms and wards have no light at all, and the night attendants have to carry lanterns when ministering to the needs of the patients. Much of the wiring is exposed in such a way as to be a fire menace, if used.

The lighting system at Terrell is in fairly good condition.

The amount of lighting in the East Texas Hospital for the Insane is adequate for every purpose but the way in which it is installed is about the crudest piece of work imaginable. The wiring on each floor is continuous, with no cut-offs, so that when necessary to light a given room or hallway every portion of that floor is lighted, which is not only wasteful but is annoying as well.

Screening.

None of the buildings at Austin, except the large central dining hall and kitchen, are screened. At San Antonio and Terrell only a part of the buildings are screened. The buildings at the Rusk asylum are screened throughout.

All buildings should be screened to afford protection against the deadly fly and mosquito. However, it is a difficult task to preserve screening from destruction by patients at asylums for the insane.

Bathing Facilities.

All patients, except those who are helpless, have easy access to baths of both hot and cold water and are bathed one or more times a week or as often as necessary, some patients requiring many baths a week or even in a day. Those who are helpless are given sponge baths. In the main the bathing facilities in all the asylums are good, and in some of the hospitals constructed in recent years these facilities are very excellent. At the State Lunatic Asylum, at Austin, an addition on the north side of the west wing for female patients was constructed some years ago, in

which baths have been equipped with tile floor and enamel walls, containing fine large enamel tubs, a shower system, and arrangement for the employment of therapeutic agencies. It would be fine if such facilities were provided throughout.

Provision for the shower bath is quite limited in all the asylums, the common bath tub being mainly provided in all the wards. In some of the wards where no shower baths are provided, there are not enough tubs. In the reception ward for new male patients in the institution at Austin, there were only two ordinary tubs to seventy-five patients, and in the ward for the most violent male patients there were two tubs to eighty-four patients. At the East Texas Hospital for the Insane, in ward No. 1, for negro male patients, there were three tubs to 127 patients. Other like cases of inadequate equipment could be mentioned.

Water.

The asylum at Austin gets its water supply from the city, which is obtained by filtration from the Colorado river. This water is wholesome, but is treated with chlorine. Approximately 300,000 gallons are used each day.

The water supply of the Southwestern Insane Asylum comes from the San Antonio river and is supplied on contract with a private corporation, the institution not owning the water system. The water is not treated and is evidently pure and wholesome. Over 400,000 gallons are used daily.

The North Texas Hospital for the Insane has its own waterworks, and is supplied with water from two deep wells on the hospital grounds. The supply is pure and wholesome, and is not treated. An estimated average of 250,000 gallons a day is used, which is about the limit these wells can supply, but more could be used advantageously.

The asylum at Rusk receives its water from a pond on lands of the State, situated about a half mile from the hospital. It is surrounded by high hills, and receives the drainage of a large community, where cattle and hogs run at large and the people living along its watershed use the open toilet. The pond is also used at times as a swimming pool. There is danger in this kind of water supply, and it should be condemned.

Recently an open well has been dug within the enclosure made by the old

prison walls, which enclosure will constitute the campus and playgrounds of the institution when cleared of some old, toppling buildings and other debris. The water from this well should not be used, as open wells are easily polluted from dust and surface seepage. Another danger of an open well on the playground or where inmates can reach it is, that they are likely to pollute the water by throwing filth into the well or with their bodily excretions when not under the immediate eye of an attendant. Such a well should be outside this enclosure, where the inmates cannot reach it.

Foods.

A plentiful supply of good, wholesome, nourishing well cooked foods, with variety to suit the requirements of the different kinds of patients, is provided at each institution.

Kitchens and Dining Rooms.

The kitchens and dining rooms at all the asylums were in a clean, wholesome condition. Some minor repairs were needed about the main kitchen and dining room at Austin, such as repairing the tile floors, the ceiling and the screening. All dishes, cupboards, refrigerators, and so forth were found thoroughly clean and sanitary at all the institutions. At the North Texas Hospital for the Insane in the dining room of the Old Male Annex, the hot water system was not sufficient to insure at all times the thorough sterilization of dishes and other culinary equipment. At the East Texas Hospital for the Insane it was noted that clothes of employes was hanging about in the kitchen, which should be avoided by having lockers in which employes can hang clothing. At the time of this inspection this institution was able to procure only two cooks, and about ten of the patients assisted in preparing the meals and keeping the dining room in order.

Health and Treatment of Inmates.

In all the asylums the general health of the patients, at the time this inspection was made, excepting the mild prevalence of tonsillitis in the Southwestern Insane Asylum, before noted, was as good as could be expected. There is evidence on every hand of all due diligence and care on the part of the superintendents and physicians in charge in their treatment and oversight of these poor unfortunate men and women. All nurses and attendants seem to have an abiding interest in their work and a

proper regard for the responsibilities of their positions. The patients are kindly treated, their ample supply of clothing is kept clean and their persons are kept as tidy as can be expected or exacted in institutions of this kind. The bedding and all rooms, wards and dormitories are kept in a clean, sanitary condition. All mattresses and pillows are frequently sterilized at a special sterilization plant and kept exposed to the fresh air and sunlight as much as possible and the bed covering is either sterilized the same way or, with the bed linen, is laundered as frequently as the most exacting rules of sanitation and cleanliness require.

Management.

The superintendents of the four asylums now in operation are respectively, Dr. John Preston, State Lunatic Asylum, Austin; Dr. J. G. Springer, Southwestern Insane Asylum, San Antonio; Dr. George F. Powell, North Texas Hospital for the Insane, Terrell; and Dr. W. J. Johnson, East Texas Hospital for the Insane, Rusk.

The management of these institutions is highly creditable to the State of Texas. With the removal of some handicaps, such as indicated above, and with certain additions and betterments to buildings and equipment this management may be expected to reflect still greater credit upon the State, both from the scientific treatment of the inmates and their added physical comfort.

There was not a full staff of doctors, as provided by the legislative appropriation, at any of these institutions when this visitation was made in March, 1920, except at the North Texas Hospital for the Insane, due to the difficulty in procuring and maintaining the requisite medical help at the remuneration offered. At one time there were only two doctors on the staff of the Southwestern Insane Asylum to care for approximately two thousand patients. It is not unusual for some of the doctors to have to work twelve to fifteen hours a day, and then be subject to call at any other hour of the twenty-four.

Added to this distressing situation was a shortage of nurses and attendants, especially male attendants. On white male reception ward for new patients at the Austin asylum there were only two attendants at a time to seventy-five patients, and, on white male ward for most violent patients, there were two attendants to eighty-four patients, some of the latter being of a dangerous character and hav-

ing criminal antecedents. In the East Texas Hospital for the Insane, on ward No. 1 for negro male patients there were three attendants to 127 patients; on ward No. 2 for white males there were two attendants to 107 patients; on ward A for negro females there were two attendants to 110 patients, and on ward B for white females there were two attendants to 110 patients. These are extreme instances, but there was an insufficient number of nurses and attendants throughout all the asylums.

The compensation provided for this class of help is insufficient to meet competitive wages offered in other industrial lines demanding the services of such young men and women as are needed at these institutions.

Occupational Therapy.

Some special point or points of excellency in the management of each of our institutions for the insane could be mentioned, were it necessary to the purpose of this report, but it is deemed well to stress the importance attached to occupational therapy by the management of the Southwestern Insane Asylum. This institution has established an art department in which many patients find relief from their affliction in the attainment of remarkable proficiency in many kinds of handiwork, such as sewing, embroidering, basket-making, weaving, knitting, bead-work, and so forth, and even drawing and painting. The superintendent is to be commended for undertaking the enlargement of this department so that many more patients may be benefited by such light and profitable occupation. If a few hundred dollars were put at his disposal with which to buy more looms, knitting machines and other apparatus, he says the department could easily be made self-sustaining.

Needs of Our Institutions for the Insane from the Standpoint of Sanitation.

Tuberculous Insane.

The institution at Austin has the best hospital facilities of any of our insane asylums for the care and treatment of patients afflicted with tuberculosis. It has specially designed tubercular hospitals, standing apart from the other buildings, with sufficient capacity for the segregation of all tuberculous patients now at this asylum. This provision for tuberculous patients has been made under the administration of Dr. John Preston, and great praise is due him for

his foresight in planning for this pressing need and the persistency with which he has kept the same before the Legislature.

There is hospital capacity at the Southwestern Insane Asylum for the segregation of only a part of the tuberculous patients; at the North Texas Hospital for the Insane only a small part can be segregated, and at the East Texas Hospital for the Insane there is no provision whatever for such segregation. Tuberculous patients at all these institutions have to be kept on wards with other patients.

There are approximately 250 inmates of our insane asylums who have tuberculosis.

Immediate provision should be made for cottage hospitals at San Antonio and at Terrell for the care of at least fifty men and fifty women tuberculous patients at each institution. Tubercular cottages, with half that capacity would suffice as a beginning for the institution at Rusk, and at Austin there should be an additional tubercular cottage for negroes. Such a building program should contemplate the care and treatment of negroes as well as white patients at all of the asylums except at San Antonio, where there are no negro inmates.

These additional buildings are imperatively needed, as it is deplorable that tuberculous patients are not entirely segregated from other patients and kept in separate buildings.

It might be proper to suggest in this connection that, with a view, both to economy and the most thorough specialization in the treatment of the tuberculous insane, it would perhaps be well to consider the advisability of mobilizing all of the State's tuberculous insane at that one of the asylums whose location with respect to altitude and other climatic conditions may be thought to be the most favorable to the care and treatment of tuberculosis, and that the building program suggested be carried out at that one institution.

The advisability, too, of establishing, at some time in the future, a separate asylum for the tuberculous insane in some one of the most favored regions of the State for the care and treatment of sufferers of tuberculosis, might be looked forward to with profit.

State Lunatic Asylum at Austin.

This institution needs:

(1) Buildings.—(a) A psychopathic hospital and laboratory.

- (b) A tuberculosis cottage for negroes.
- (c) A nurses' home.
- (d) An addition to the old ladies' home.
- (e) An elevator to the female infirmary.
- (f) A new cold storage plant.
- (g) In the old administration building and what is known as the north building, the replacing of dilapidated floors, ceiling, and window casing and sash throughout with:
 - (a') Concrete flooring.
 - (b') New ceiling.
 - (c') New window casing and sash, with window grating fastened on hinges and secured with locks instead of fastening into the casing with screws as at present. (See "General Statement," following.)
- (h) A thorough interior overhauling of negro wards, and making them fire-proof.
- (i) Painting of all roofing.
- (j) Construction of new bath and toilet room in convalescent female ward No. 2, in west wing, in place of one which is unsafe.
- (k) Construction of new bath and toilet rooms as an addition to the old north building in place of portion of structure which is now unsafe.
- (l) Building of fire escape to tubercular hospital for white men.
- (m) Larger clothing room for west wing convalescent female ward.
- (n) Minor repairs about dining room and kitchen, and installation of heating system in dining room.
- (o) Porches. (See "General Statement," following.)
- (2) Heating.—Installation of a new and improved radiation system, for which appropriation has been made by the Thirty-sixth Legislature.
- (3) Plumbing.—A thorough overhauling of plumbing system.
- (4) Screening.—Screening for all hospital wards.
- (5) Bathing Facilities.—Enlarged bathing facilities in some of the wards.

Southwestern Insane Asylum at San Antonio.

This institution needs:

- (1) Buildings.—(a) Additional cottage hospitals for tuberculous patients.
- (b) A new female infirmary in place of the old building, which should be razed.
- (c) An additional hospital for women.
- (d) An additional hospital for men.

(e) A new building to be used exclusively to house the boilers, engines and pumps, which should be erected at some distance from any building occupied by patients.

The need of such a building can be better appreciated when it is understood that the boilers, engines and pumps are now located in the basement of a building whose walls are in a bad condition and permit a considerable seepage of water to enter the boiler room; that in this building are the auditorium, the library, the laboratory and other departments of the institution; and that many employes and inmates are thus constantly exposed to the danger of fire, explosions and the bursting of pipes under high steam pressure.

(f) Porches. (See "General Statement," following.)

(g) Repairing of wooden floors in male hospital.

(h) Replacing of wooden floors in older buildings with concrete flooring.

(2) Heating.—(a) Installation of a new and improved radiation system in the older buildings.

(b) Two additional vacuum pumps for the circulating systems.

(c) Replacing of old unsafe steam lines with new and stronger pipe.

(3) Plumbing.—Improvement of fixtures in older buildings.

(4) Screening.—Additional screening for hospital wards.

(5) Bathing Facilities.—Improvement of lavatories and bathing facilities in older buildings.

(6) Lighting.—Installation of new lighting system in older buildings, with wiring run in conduits.

(7) Sanitation.—(a) An improved incinerator.

(b) Installation of chlorinating machine to sterilize effluent from contact beds at the sewage disposal plant before it is discharged into the San Antonio river.

(c) Replacement of broken filter nozzles on contact beds, with new ones.

North Texas Hospital for the Insane at Terrell.

This institution needs:

(1) Buildings.—(a) Cottage hospitals for tuberculous patients.

(b) A nurses' home.

(c) Converting of present laundry building into home for other employes.

(d) A new laundry building.

(e) A larger and better building for the mattress factory.

(f) Fire escapes.

(g) Porches. (See "General Statement," following.)

(h) Better hot water facilities in dining room of old male annex.

(2) Heating.—(a) Overhauling and expansion of radiation system.

(b) One new engine.

(3) Screening.—Additional screening for hospital wards.

(4) Bathing Facilities.—Better bathing facilities and better fixtures and equipment in a number of the wards.

(5) Sanitation.—(a) Tile draining of an open ditch which runs through the grounds.

(b) Completion of sewage disposal plant and its perfect repair and upkeep.

(6) Water Sytem.—(a) Increased water supply, which may be obtained by drilling an additional well.

(b) Repair of water-main pipes.

East Texas Hospital for the Insane, at Rusk.

This institution needs:

(1) Buildings.—(a) Cottage hospitals for the tuberculosis patients.

(b) A female infirmary in order that sick patients may be taken off of wards.

(c) A hospital for men in order that sick patients may be taken off of wards.

(d) Hospitals for very old and feeble patients, one for men and one for women, in order that this class of patients may be segregated from patients who are violent, and may more easily receive the special attention they require.

(e) A cottage for nurses.

(f) Living quarters for other employees.

(g) Lockers in dining room and kitchen for wearing apparel of employees.

(h) Porches. (See "General Statement," following.)

(2) Heating.—(a) An additional boiler as a precaution against one of the other boilers going out of commission for repairs.

(b) Two additional vacuum pumps for the circulation system.

(3) Bathing facilities.—Expansion of bathing facilities.

(4) Sanitation.—(a) Construction of an incinerator for the disposal of garbage; and so forth.

(b) Improvement of gutter or drain ditch around buildings, either by covering or cementing at bottom, with a proper gradient, so as to prevent the standing of water and its becoming a mosquito incubator.

(c) An additional sludge bed at the sewage disposal plant.

(d) Removal of old toppling build-

ings and debris from the hospital grounds as speedily as possible.

Lighting.—Improvement and re-arrangement of wiring system.

Water System.—Provision for an entirely different source of water supply.

General Statement.

Porches.—Perhaps no moderate expenditure for improvements at any State institution could be turned to so good an account as the construction of porches at such hospital buildings for the insane as are now without this necessary convenience and comfort. It is to a degree lamentable that provision for porches did not enter into the early architecture of our hospitals for the insane. Many of the old buildings at these institutions appear to have been designedly fashioned more like prisons than after the fashion of an institution that pulses with the humanity, and heart, and soul of a modern hospital.

The addition of porches to such buildings at each of the institutions for the insane would, in a measure, (1) relieve the congested condition of the hospitals by affording practically outdoor recreation for patients, except during sleeping hours; (2) it would afford relief from drearily sweltering in the heat in confined rooms and wards during the long summer days; (3) in inclement weather, it would enable patients to be taken off the wards and given outdoor exercise, when, at such times, the hospitals could be thoroughly ventilated and flushed with fresh, pure air; (4) it would afford sleeping quarters in the open air for such patients as require such relief, as evidenced at some of the hospitals, having porches, where there are aged patients and patients predisposed to or have tuberculosis; (5) it would promote convenience, comfort and sanitation in the conduct of the hospitals; and (6) it would add to the architectural beauty and cheerful appearance of these institutions.

Screening of Radiators, Etc.—All radiators and steam pipes passing through the buildings, in reach of patients, should be securely screened as a protection against burns. At Terrell and in the older buildings of the other asylums, the steam-pipe system of radiation predominates, and the instances of severe burns inflicted on patients is extremely distressing. In a frenzied state, patients will sometimes grasp the hot pipes with one or both hands until forced to release their hold, receiving burns which require weeks and even months to heal.

Instances of accidental burning are quite frequent.

Window Gratings.—The window gratings in practically all of the asylum buildings, except at San Antonio, fit into the window casings and are fastened with large screws. The gratings have to be taken out when the windows are washed; the holes into which the screws fit soon become enlarged, and deface and weaken the window casings; and besides there is a great deal of inconvenience and cost of time in thus having to remove the gratings.

At San Antonio, most of the gratings are swung on hinges and made secure with locks. It would be well if this feature of the buildings at the other institutions were remodeled, and all gratings swung on hinges.

The above statement of the needs of our institutions for the insane, from the standpoint of proper sanitation, is based upon a minimum estimate, after taking into consideration the mobilization of that part of our insane population at the asylum at Wichita Falls, sufficient to fill it to its capacity when opened. The annual death rate in these institutions is low, the inmates live to an advanced age, and the number who may ever recover does not exceed twenty or twenty-five per cent, if the percentage of recovery be even that great. With the rapid future growth of our population and the influx of immigration from other States and foreign countries, bringing many persons with unsound family antecedents, and with unrestrained marriage and inter-marriage of persons predisposed to hereditary insanity, we may expect our insane population to increase in the years to come.

Respectfully submitted,
STATE HEALTH OFFICER.

SENATE BILLS ON FIRST READING.

The following Senate bills received from the Senate today were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 1, to the Committee on Appropriations.

Senate bill No. 2, to the Committee on Appropriations.

Senate bill No. 3, to the Committee on Appropriations.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Wright:

H. B. No. 32, A bill to be entitled "An Act to authorize the creation of international trading corporations in this State under the general corporation laws of this State, which will authorize such corporations to engage in business of international trading, trading the products of the farm, ranch, orchard, mine and forest, and engage in the sale of same to foreign countries, and permitting the residents of foreign countries to take stock in such corporations, and permitting such corporations to take in payment for capital stock property at an appraised value, to be determined upon by a board of appraisers selected by the Secretary of State of the State of Texas, who are familiar with the value of such properties, providing that the control of said corporation shall never be surrendered to any country save and except the United States of America and that a majority of said stock shall always be owned by citizens of Texas and the United States and that a majority of the directors shall be citizens of Texas; providing a penalty for vesting more than a majority of stock in a foreign country and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. W. A. Black of Bexar:

H. B. No. 33, A bill to be entitled "An Act providing for the manner of rendition of real estate for taxes; giving a description of the value of the land and improvements separately; requiring the State Comptroller to furnish such blank forms as will show the separate rendition of lands and lots from the improvements therein and thereon, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Lawrence and Mr. Baldwin:

H. B. No. 34, A bill to be entitled "An Act amending Article 6923 of Title 119 of the Revised Civil Statutes of the State of Texas, 1911, providing that any person summoned to work on the public roads of this State shall be exempted from the performance of such work upon payment to the road overseer of his district of \$2 for each and every day he is summoned to work, and exempting such person from all penalties for failure to work on such roads for the time for which he has so paid, and declaring an emergency."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Edwards:

H. B. No. 35. A bill to be entitled "An Act providing for the establishing of a cement factory at one of the State penitentiaries, or other place, as may be designated by the Board of Prison Commissioners, providing that in all structural work on State highways the cement so manufactured shall be used exclusively, as also in all other construction by the State requiring the use of cement, when cement so manufactured is available; and providing that all cities, towns and counties in Texas shall have the right to purchase cement from the State at a price of 5 per cent above the cost of manufacturing for use on public road, bridge and culvert work; providing that convict labor shall be used in connection with the establishment and conduct of such establishment when practicable and profitable; providing that the Board of Prison Commissioners shall have general supervision and control of said factory; appropriating funds of the State Treasury not otherwise appropriated in a sum not to exceed \$200,000, to be expended during the years 1921 to 1923, and declaring an emergency."

Referred to Committee on Penitentiaries.

By Mr. O. B. Black of Bexar:

H. B. No. 36. A bill to be entitled "An Act creating, establishing and providing for the maintenance of a State Tuberculosis Sanatorium for negroes, and declaring an emergency."

Referred to Committee on State Eleemosynary and Reformatory Institutions.

By Mr. Sneed:

H. B. No. 37. A bill to be entitled "An Act providing for recording registration certificates of pure bred sires in the county clerk's office; making it a misdemeanor for any person, firm, association or corporation to offer the service for a fee, or permit the service for a fee, of certain animals, unless registration certificates shall have been recorded in the county clerk's office, and prescribing a penalty for the violation hereof."

Referred to Committee on Stock and Stock Raising.

By Mr. John Davis of Dallas:

H. B. No. 38. A bill to be entitled "An Act to prevent the introduction into

the State of Texas of the destructive pest *Pectinophera Gossypiella* Saund., known as and hereinafter referred to as the pink boll worm, and to control and eradicate such insect pest when and where discovered in this State; creating zones along the boundary between Texas and Mexico, and providing for the inspection of fields of cotton and for general control of products in such zones; providing for emergency quarantine of cotton or cotton products contaminated or infested with such pest and for the adequate disinfection of such cotton products; providing for supervision of areas contaminated or infested, but in which it is not deemed necessary to destroy the cotton or fields of cotton; providing for the condemnation, destruction and compensation of fields of cotton infested or cotton or products found to be infested; providing for the creation by proclamation of the Governor of zones in which cotton may be grown under regulations, and for zones in which the growing of cotton may be declared a public menace and its production prohibited; authorizing the Governor to issue special or emergency quarantines; making it the duty of the Commissioner of Agriculture to promulgate rules to effectuate the provisions of the act, and to exercise the general authority herein conferred in the accomplishment of the purposes of the act; providing for the appointment of a pink boll worm commission and prescribing its duties; providing in the event of the establishment of non-cotton zones for the appointment of a compensation claim board, and prescribing its duties; authorizing the Commissioner of Agriculture to cooperate with the Secretary of Agriculture of the United States; providing for the payment of compensation to persons who may sustain loss or damage through the operation of the act; defining the boll worm and defining 'cotton' or 'cotton products'; declaring the policy of the State in its effort to control and eradicate the pink boll worm; providing penalties for the violation of the provisions of the act; declaring that all laws or parts of laws in conflict with the act are repealed; making an appropriation for the administration of the act and for compensation of persons sustaining loss or damage, and declaring an emergency."

Referred to the Committee on Agriculture.

By Mr. Lawrence and Mr. Baldwin:

H. B. No. 39. A bill to be entitled "An Act amending Article 832 of Title

13 of the Revised Criminal Statutes of the State of Texas, 1911, providing that if any person liable to work upon the public roads, after being legally summoned, shall fail or refuse to attend, either in person or by able and competent substitute, or fail or refuse to furnish his team or tools at the time and place designated by the person summoning him, or to pay the road overseer the sum of two dollars for each day he may have been notified to work on the public roads, or to pay to such road overseer the sum of two dollars and fifty cents for each day he may have been notified to furnish his team for road work, or having attended, shall fail or refuse to perform good service, or any other duty required of him by law, or the person under whom he may work, or to comply with any duty required of him by the laws relating to work on the public roads, shall be deemed guilty of a misdemeanor; prescribing penalty for violation of this act, and declaring an emergency."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Horton:

H. B. No. 40, A bill to be entitled "An Act to amend Article 374, Chapter 1, Title 14, Revised Statutes of Texas, relating to banks and banking, providing that the affairs and business of every banking corporation shall be managed by a board of directors or managers consisting of not less than five nor more than thirty-five shareholders, and declaring an emergency."

Referred to Committee on Banks and Banking.

By Mr. Pope:

H. B. No. 41, A bill to be entitled "An Act to aid the city of Corpus Christi in the construction of a sea wall or breakwater, so as to protect said city from calamitous overflows, by donating to said city all the State ad valorem taxes collected on property, and from persons in Jim Hogg, Brooks, Kleberg, Willacy, and Duval counties, and by donating to said city all the State ad valorem taxes collected on property and from persons in Nueces county and heretofore donated to the city of Corpus Christi by act of the Thirty-fifth Legislature of Texas, known as House bill No. 694, for a period of twenty-five years; and to provide a penalty for their misapplication; and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Fly:

H. B. No. 42, A bill to be entitled "An Act putting into effect amended Section 4, of Article 11, of the Constitution relating to cities and towns having a population of five thousand or less, and amending Section 5, of Article 11, of the Constitution relating to cities having more than five thousand inhabitants and not having special charters; providing for the levying, assessment and collection of taxes by such cities; providing for the issuance of bonds by such cities payable out of said taxes; validating certain bond elections; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Jones and Mr. Darroch:

H. B. No. 43, A bill to be entitled "An Act to amend Chapter 7 of an act passed by the Regular Session of the Thirty-third Legislature, which said act was amendatory of Chapter 44 of an act passed at the Regular Session of the Thirty-second Legislature; and to provide for the suspension by the court of sentence in certain cases of conviction for felony for the first offense, during good behavior of defendant, either upon recommendation of the jury or without such recommendation, for submission of that issue to the court alone; to provide the duration of the suspension of sentence; to provide what shall constitute good behavior; to provide for the pronouncing of sentence after suspension should the defendant be again charged by complaint, information or indictment in a court of competent jurisdiction with an offense of either a misdemeanor or a felony involving moral turpitude, go beyond the limits of the State of Texas, or fail to make written reports to the judge of the court granting such suspension of sentence and for dismissal of the case in certain events after suspension; to provide for giving of bond by defendant when sentence is suspended; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Veatch:

H. B. No. 44, A bill to be entitled "An Act repealing Chapter 191 of the Thirty-fifth Legislature passed at its Regular Session in 1917, and being entitled 'An act to provide for the establishment, maintenance and government

of two State Normal Schools; providing for the location of same; and declaring an emergency; cancelling and annulling all acts done in pursuance of said Chapter 191; providing for a committee to report for repayment of moneys paid out by order of any of the officers, agents or employees of the State, by virtue of the authority of said Chapter 191, by the terms of which said colleges may have been located; providing for the payment of said moneys, and the expenses of said committee; and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Horton and Mr. John Davis of Dallas:

H. B. No. 45, A bill to be entitled "An Act creating the Dallas county district court of domestic relations, and restricting the jurisdiction in part; providing for the transfer of cases between the Fourteenth Judicial District court and the Sixty-eighth Judicial District court; providing that the Dallas county district court of domestic relations shall sit as a juvenile court; increasing the numbers and duties of probation officers of Dallas county; repealing all laws in conflict herewith; and declaring an emergency."

Referred to Committee on Judicial Districts.

By Mr. King:

H. B. No. 46, A bill to be entitled "An Act to amend Section 3 of Chapter 73 of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature, as amended by Chapter 113 of the General Laws of the Thirty-sixth Legislature, providing that the tax collector of each county shall transmit on Monday of each week, to the State Highway Department, fifteen per cent of the gross registration, chauffeur and transfer fees during the preceding week, and deposit the remaining eighty-five per cent in the county depository to the credit of the road and bridge fund of the county, to be expended by the commissioners court as is now providing that all license fees collected on commercial and interurban commercial motor vehicles on a mileage basis shall be the property of the respective counties and be distributed in proportion to the mileage travelled in each county, and declaring an emergency; and also amending Section 5, Chapter 190, Acts of the Regular Session of the Thirty-sixth Legislature so as to provide that all salaries of employes of the State Highway

Department, including engineer, shall be fixed by the Legislature."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. King:

H. B. No. 47, A bill to be entitled "An Act creating a State Board of Parole and Pardon Commissioners and a State Parole Officer; fixing the salaries of each, and prescribing their duties; abolishing the Board of Pardon Advisers and providing for the performance of their duties and functions by the Board Parole and Pardon Commissioners; prescribing conditions and rules governing the paroling and pardoning of persons convicted of felonies; defining the status of convicted persons under suspended sentence; repealing all laws and parts of laws conflicting with it; and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Burkett, Mr. Crumpton, Mr. Stewart of Edwards, Mr. Henderson and Mr. Patman:

H. B. No. 48, A bill to be entitled "An Act to apportion the State of Texas into senatorial districts; to specify the county to which returns of an election shall be sent, on which the county judge shall issue certificates of election; and repealing all laws in conflict herewith."

Referred to Committee on Senatorial Districts.

By Mr. King:

H. B. No. 49, A bill to be entitled "An Act to provide indemnity for persons erroneously convicted of felonies in the State of Texas, and prescribing the procedure by which such facts may be established and providing that after the adjudication of this fact claim for services rendered to the State shall be presented to the Board of Control within six months after establishment of such fact and prior to the meeting of the next session of the Legislature; providing that no claim shall be considered unless this act is complied with; limiting the amount which may be paid on such claim to the pecuniary injury resulting from such conviction, which shall not exceed in any case \$5000, which sum may be paid out of a specific appropriation by the Legislature; provided further that the Board of Control shall establish such rules and regulations consistent with laws for carrying into effect the provisions of this act."

Referred to Committee on Criminal Jurisprudence.

By Mr. Rogers of Harris:

H. B. No. 50, A bill to be entitled "An Act to amend Chapter 4, Article 4632 of the Revised Civil Statutes, by adding provisions fixing the venue of divorce suits and requirements, petitions to be attested by oath of complainant as to the matters of residence and denying collusion of parties; requiring the court to appoint attorneys in all cases where defendant fails to appear and defend suit; and declaring an emergency to fix a fee therefor which shall be taxed as costs."

Referred to Judiciary Committee.

By Mr. Rogers of Harris:

H. B. No. 51, A bill to be entitled "An Act to prevent confessions from defendants in jail being obtained by force, or by the third degree, or by fraudulent means; and to render all such confessions inadmissible in evidence."

Referred to Committee on Criminal Jurisprudence.

By Mr. Rogers of Harris:

H. B. No. 52, A bill to be entitled "An Act to amend Article 1932 of the Revised Statutes of this State, and provide for the appointment of stenographers in the county courts."

Referred to Judiciary Committee.

By Mr. Rogers of Harris:

H. B. No. 53, A bill to be entitled "An Act to repeal Articles 4469, 4470, 4471, 4472, 4473, 4474, 4475; also 4475e, 4475ff, 4475fff, 4475g, 4475gg, 4475h, 4475i, 4475j, of the Revised Civil Statutes relating to boll weevils and pink boll worms."

Referred to Committee on Agriculture.

By Mr. Rogers of Harris:

H. B. No. 54, A bill to be entitled "An Act to repeal Chapter 5 of the special acts of the Thirty-sixth Legislature, passed at the Fourth Called Session of the Legislature of Texas, which convened September 21, 1920."

Referred to Committee on Commerce and Manufactures.

By Mr. Moore and Mr. John Davis of Dallas:

H. B. No. 55, A bill to be entitled "An Act to amend Article 3983 of Chapter 40 of the General Laws of the State of Texas, passed by the Thirty-sixth Legislature at its Third Called Session regulating the fees allowed county officers in certain counties in this State, and declaring an emergency."

Referred to Committee on Counties.

By Mr. Rogers of Harris:

H. B. No. 56, A bill to be entitled "An Act to prevent useless and unnecessary declarations of martial law and to prevent the suspension of jury trials and writs of habeas corpus in places where martial law is declared."

Referred to Committee on Criminal Jurisprudence.

By Mr. Jones:

H. B. No. 57, A bill to be entitled "An Act to amend Article 5436 of Chapter 9, Title 79, of the Revised Civil Statutes of 1911, of the State of Texas, relating to the sale of public free school and asylum lands, so as to provide for the sale of such lands by the purchaser or any vendee thereof either in whole tracts or such portions thereof as such purchaser or any vendee may desire; and to further provide that the vendee of such lands may be substituted as, and become the purchaser thereof, direct from the State, and that he shall, as to such land, become subject to all of the obligations and penalties imposed by law upon the original purchaser of such land, and to repeal all laws and parts of laws in conflict therewith."

Referred to Committee on Public Lands.

By Mr. Jones:

H. B. No. 58, A bill to be entitled "An Act to amend Article 325, Title 12, of the Revised Civil Statutes of 1911, so as to permit proceedings under said article regardless of indictment, criminal prosecution or conviction for any of the matters therein named."

Referred to Committee on Criminal Jurisprudence.

By Mr. O. B. Black of Bexar:

H. B. No. 59, A bill to be entitled "An Act to amend Article 865b, 865c, 865d, 865e, 865f, 865g, and 865h, and 865i, Chapter 3, Code of Criminal Procedure of the State of Texas, passed by the Thirty-third Legislature of the State of Texas at the Regular Session thereof and approved February 11, 1913; to provide for the suspension of sentence in certain cases of conviction of a felony for first offense, upon recommendation of the jury; for the submission of the issue to the jury by the court; to provide the duration of the suspension of sentence; for pronouncing sentence after suspension thereof in case of final conviction of the defendant of any other felony or of the crime of theft of property of the value of under fifty dollars

or of embezzlement of property of the value of under fifty dollars; for the cumulation of punishment in such cases; for the granting of a new trial after suspension; the dismissal of the case in certain events after suspension; to repeal all laws and parts of laws in conflict herewith, and providing for an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. O. B. Black of Bexar:

H. B. No. 60. A bill to be entitled "An Act to define the practice of the law and law business, to prohibit doing there or for a valuable consideration by persons not licensed as attorneys at law, by association or by corporations and to provide penalties and remedies for the violation thereof."

Referred to Judiciary Committee.

By Mr. Webb:

H. B. No. 61. A bill to be entitled "An Act to extend the time of payment of property taxes to those who are not now able to pay such taxes; providing for the execution of an affidavit to be filed with the county tax collector prior to February 1, 1921, and exempting all such parties from the payment of ten per cent (10%) failure to pay such taxes on or before February 1, 1921; and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Malone:

H. B. No. 62. A bill to be entitled "An Act authorizing the commissioners courts of Texas to fix the compensation of the tax assessors of their respective counties for assessing and making the tax rolls of that part of any improvement district lying within the city limits of cities having a population of more than 75,000 inhabitants, at a sum not to exceed the amount allowed by general law for like services in assessing State and county taxes, and declaring an emergency."

Referred to Committee on Counties.

By Mr. Hendricks:

H. B. No. 63. A bill to be entitled "An Act to amend Section 3, Chapter 73, of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature, as amended by Section 4, of Chapter 113, of the General Laws of the Regular Session of the Thirty-sixth Legislature, to provide that the tax col-

lector of each county shall transmit on Monday of each week to the State Highway Department one-fourth of the gross registration, chauffeur or transfer fees collected during the preceding week and deposit the remaining three-fourths in the county depository to the credit of a special highway fund to be expended by the commissioners court of the county, and providing that all license fees collected on commercial and interurban commercial motor vehicles on a mileage basis shall be the property of the respective counties and be distributed in proportion to the mileage traveled in each county, repealing all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Hendricks:

H. B. No. 64. A bill to be entitled "An Act to amend Section 23, of Chapter 190, of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-fifth Legislature of Texas, relating to funds coming into the hands of the State Highway Commission from motor vehicle and motorcycle registration fees, or from other sources."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Cox:

H. B. No. 65. A bill to be entitled "An Act to amend Chapter 75, pages 140 and 141, of the General Laws of the Regular Session of the Thirty-fifth Legislature, which was an act amending Articles 1521, 1522, 1543, 1544 and 1526, of Revised Civil Statutes of 1911, defining the original and appellate jurisdiction of the Supreme Court of Texas and regulating the practice therein."

Referred to Judiciary Committee.

By Mr. Bonham:

H. B. No. 66. A bill to be entitled "An Act to amend Article 3204 of the Revised Civil Statutes of the State of Texas of 1911 so as to authorize the Governor to employ counsel to file escheat proceedings, in addition to the authority therein; to retain counsel for the purposes therein already specified; providing compensation for such counsel, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Edwards:

H. B. No. 67. A bill to be entitled "An Act creating a special road law for

Coryell county, Texas, making the commissioners for said county supervisors of the roads in their respective districts, prescribing their duties as such supervisors; prescribing how said roads and bridges shall be built and worked; providing for payment of overseers for overtime; providing that each commissioner's beat shall receive all the road and bridge funds paid by said beat; providing how and where said moneys shall be spent; providing for teams and tools, and providing ways for road hands to work on said road, and providing for substitutes; defining the duties of county treasurer and county clerks relative to said road law; providing for investigation by grand jury for violations of said law; fixing penalties for violation of said law; repealing all special laws in conflict herewith; making this law cumulative to the general road law, where same does not conflict, and providing where same conflicts with general road law that this special law shall supersede general laws, and providing for an emergency."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Quaid and Mr. Pool:

H. B. No. 68, A bill to be entitled "An Act to amend Section 1, Chapter 16, being an act of the Regular Session of the Thirty-fifth Legislature, 1917, as amended by Chapter 58, being an act of the Regular Session of the Thirty-fifth Legislature, 1917, relating to the creation of a Juvenile Board within certain counties of the State, and prescribing the duties and powers of such board, including the appointment by it of probation officers, and providing for the payment of compensation to such officers; allowing the said district judges an additional salary, to be paid out of the general fund of such county, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Quicksall:

H. B. No. 69, A bill to be entitled "An Act requiring persons handling pistols to secure license, pay occupation tax, keep a record of the sale of pistols; prohibiting sale or lease to minors or persons under heat of passion; providing penalty; repealing laws in conflict, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

COMMITTEE TO COUNT VOTE FOR GOVERNOR AND LIEUTENANT GOVERNOR.

The Speaker announced the appointment of the following committee to count the votes in the election of Governor and Lieutenant Governor, and to arrange for their inauguration:

Messrs. O. B. Black of Bexar, Jones, Neblett, Thrasher, Miller of Dallas, Rountree, and Smith.

RELATING TO ASSISTANT READING CLERK.

Mr. Teer moved to reconsider the vote by which the resolution relating to officers of the House was adopted.

The motion to reconsider prevailed.

Mr. Teer then offered the following amendment to the resolution:

Amend the resolution by providing that the Assistant Reading Clerk shall receive as compensation the sum of \$7.50 per day instead of \$5 per day.

The amendment was adopted.

The resolution as amended was then adopted.

RECESS.

On motion of Mr. Satterwhite, the House, at 12 o'clock m., took recess to 3 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 3 o'clock p. m. and was called to order by the Speaker.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Satterwhite, it was ordered that Senate bills Nos. 1, 2 and 3 be not printed.

SENATE BILL NO. 1 ON SECOND READING.

Mr. Satterwhite moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 1 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—132.

Adams.

Aiken.

Baker.

Baldwin.

Barker.

Barrett of Bell.

Barrett of Fannin.

Bass.

Beasley

of Hopkins.

Beasley of McCulloch.	McFarlane.
Beavens.	McKean.
Binkley.	McLeod.
Bonham.	Malone.
Black, O. B., of Bexar.	Martin.
Black, W. A., of Bexar.	Marshall.
Brady.	Mathes.
Branch.	Melson.
Bryant.	Merriman.
Burkett.	Miller of Dallas.
Burmeister.	Miller of Parker.
Burns.	Morgan.
Carpenter.	Moore.
Childers.	Morris of Medina.
Chitwood.	Morris
Coffee.	of Montague.
Cox.	Mott.
Crawford.	Neblett.
Cummins.	Neinast.
Curtis.	Owen.
Darroch.	Patman.
Davis, John E., of Dallas.	Perkins
Davis, John, of Dallas.	of Cherokee.
Dinkle.	Perkins of Lamar.
Duffey.	Perry.
Duncan.	Pollard.
Edwards.	Pool.
Estes.	Quaid.
Faubion.	Quicksall.
Fly.	Quinn.
Fugler.	Rice.
Greer.	Rogers of Harris.
Grissom.	Rogers of Shelby.
Hall.	Rosser.
Hanna.	Rountree.
Hardin.	Rowland.
Harrington.	Satterwhite.
Henderson	Schweppe.
of McLennan.	Seagler.
Henderson	Shearer.
of Marion.	Sims.
Hendricks.	Smith.
Hill.	Sneed.
Horton.	Stephens.
Johnson of Ellis.	Stevenson.
Johnson	Stewart
of Wichita.	of Edwards.
Jones.	Stewart of Reeves.
Kacir.	Swann.
Kellis.	Sweet of Brown.
King.	Sweet of Tarrant.
Kveton.	Thomas
Lackey.	of Limestone.
Laird.	Thomason.
Laney.	Thompson
Lauderdale.	of Harris.
Lawrence.	Thompson
Leslie.	of Red River.
Lindsey.	Thorn.
Looney.	Thrasher.
McCord.	Veatch.
McDaniel.	Wadley.
	Walker.
	Wallace.
	Webb.
	Wessels.
	Westbrook.

Williams of McLennan.	Williams of Montgomery. Wright.
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Absent.

Brown.	Pope.
Crumpton.	Teer.
Garrett.	West.

The Speaker then laid before the House, on its second reading and passage to third reading.

S. B. No. 1, A bill to be entitled "An Act making an appropriation to pay the per diem and mileage of members and per diem of officers and employees of the Regular Session of the Thirty-seventh Legislature of the State of Texas, convened on the 11th day of January, 1921; providing how accounts may be approved, and declaring an emergency."

The bill was read second time and passed to third reading.

SENATE BILL NO. 1 ON THIRD READING.

The Speaker then laid Senate bill No. 1 before the House on its third reading and final passage.

The bill was read third time.

The Clerk was directed to call the roll, and the bill was passed by the following vote:

Yeas—132.

Adams.	Cox.
Aiken.	Crawford.
Baker.	Crumpton.
Baldwin.	Cummins.
Barker.	Curtis.
Barrett of Bell.	Darroch.
Barrett of Fannin.	Davis, John E., of Dallas.
Bass.	Davis, John, of Dallas.
Beasley	Dinkle.
of Hopkins.	Duffey.
Beasley	Duncan.
of McCulloch.	Edwards.
Beavens.	Estes.
Binkley.	Faubion.
Bonham.	Fly.
Black, O. B., of Bexar.	Fugler.
Black, W. A., of Bexar.	Garrett.
Brady.	Greer.
Branch.	Grissom.
Bryant.	Hall.
Burkett.	Hanna.
Burmeister.	Hardin.
Burns.	Harrington.
Carpenter.	Henderson
Childers.	of McLennan.
Chitwood.	Henderson
Coffee.	of Marion.

Hendricks.	Quaid.	Barker.	Laney.
Hill.	Quicksall.	Barrett of Bell.	Lauderdale.
Horton.	Quinn.	Barrett of Fannin.	Lawrence.
Johnson of Ellis.	Rice.	Bass.	Leslie.
Johnson	Rogers of Harris.	Beasley	Lindsey.
of Wichita.	Rogers of Shelby.	of Hopkins.	Looney.
Jones.	Rosser.	Beasley	McCord.
Kacir.	Rountree.	of McCulloch.	McDaniel.
Kellis.	Rowland.	Beavens.	McFarlane.
King.	Satterwhite.	Binkley.	McKean.
Kveton.	Schweppe.	Bonham.	McLeod.
Lackey.	Seagler.	Black, O. B.,	Malone.
Laird.	Shearer.	of Bexar.	Martin.
Laney.	Sims.	Black, W. A.,	Marshall.
Lauderdale.	Smith.	of Bexar.	Mathes.
Lawrence.	Sneed.	Brady.	Melson.
Leslie.	Stephens.	Branch.	Merriman.
Lindsey.	Stevenson.	Bryant.	Miller of Dallas.
Looney.	Stewart	Burkett.	Miller of Parker.
McCord.	of Edwards.	Burmeister.	Morgan.
McDaniel.	Stewart of Reeves.	Burns.	Morris of Medina.
McFarlane.	Swann.	Carpenter.	Morris
McKean.	Sweet of Brown.	Childers.	of Montague.
McLeod.	Sweet of Tarrant.	Chitwood.	Mott.
Malone.	Thomas	Coffee.	Neblett.
Martin.	of Limestone.	Cox.	Neinast.
Marshall.	Thomason.	Crawford.	Owen.
Mathes.	Thompson	Crumpton.	Patman.
Melson.	of Harris.	Cummins.	Perkins
Merriman.	Thompson	Curtis.	of Cherokee.
Miller of Dallas.	of Red River.	Darroch.	Perkins of Lamar.
Miller of Parker.	Thorn.	Davis, John E.,	Perry.
Morgan.	Thrasher.	of Dallas.	Pollard.
Morris of Medina.	Veatch.	Davis, John,	Pool.
Morris	Wadley.	of Dallas.	Pope.
of Montague.	Walker.	Dinkle.	Quaid.
Mott.	Wallace.	Duffey.	Quicksall.
Neblett.	Webb.	Duncan.	Quinn.
Neinast.	Wessels.	Edwards.	Rice.
Owen.	Westbrook.	Estes.	Rogers of Harris.
Patman.	Williams	Faubion.	Rogers of Shelby.
Perkins	of McLennan.	Fly.	Rosser.
of Cherokee.	Williams	Fugler.	Rowland.
Perkins of Lamar.	of Montgomery.	Garrett.	Satterwhite.
Perry.	Wright.	Greer.	Schweppe.
Pollard.		Grissom.	Seagler.
	Absent.	Hall.	Shearer.
		Hanna.	Sims.
Brown.	Pope.	Hardin.	Smith.
Moore.	Teer.	Harrington.	Sneed.
Pool.	West.	Henderson	Stephens.
		of McLennan.	Stevenson.
		Henderson	Stewart
		of Marion.	of Edwards.
		Hendricks.	Stewart of Reeves.
		Hill.	Swann.
		Horton.	Sweet of Brown.
		Johnson of Ellis.	Sweet of Tarrant.
		Johnson	Thomas
		of Wichita.	of Limestone.
		Jones.	Thomason.
		Kacir.	Thompson
		Kellis.	of Harris.
		King.	Thompson
		Kveton.	of Red River.
		Lacey.	Thorn.
		Laird.	Thrasher.

SENATE BILL NO. 2 ON SECOND READING.

Mr. Satterwhite moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 2 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—132.

Adams.	Baker.
Aiken.	Baldwin.

Veatch.
Wadley.
Walker.
Wallace.
Webb.
Wessels.

Westbrook.
Williams
of McLennan.
Williams
of Montgomery.
Wright.

Absent.

Brown.
Moore.
Rountree.

Teer.
West.

The Speaker then laid before the House, on its second reading and passage to third reading.

S. B. No. 2, A bill to be entitled "An Act to make an appropriation to pay the contingent expenses of the Regular Session of the Thirty-seventh Legislature of the State of Texas, convened January 11, 1921; providing how accounts may be approved, and declaring an emergency."

The bill was read second time and passed to third reading.

(Mr. Curtis in the chair.)

SENATE BILL NO. 2 ON THIRD READING.

The Speaker then laid Senate bill No. 2 before the House on its third reading and final passage.

The bill was read third time.

The Clerk was directed to call the roll, and the bill was passed by the following vote:

Yeas—129.

Adams.
Aiken.
Baldwin.
Barker.
Barrett of Bell.
Barrett of Fannin.
Bass.
Beasley
of Hopkins.
Beasley
of McCulloch.
Beavens.
Binkley.
Bonham.
Black, O. B.,
of Bexar.
Black, W. A.,
of Bexar.
Brady.
Branch.
Bryant.
Burkett.
Burmeister.
Carpenter.
Childers.
Chitwood.
Coffee.

Cox.
Crawford.
Crumpton.
Cummins.
Curtis.
Darroch.
Davis, John E.,
of Dallas.
Davis, John,
of Dallas.
Dinkle.
Duffey.
Duncan.
Edwards.
Estes.
Faubion.
Fly.
Fugler.
Garrett.
Greer.
Grissom.
Hall.
Hanna.
Hardin.
Harrington.
Henderson
of McLennan.

Henderson
of Marion.
Hendricks.
Hill.
Horton.
Johnson of Ellis.
Johnson
of Wichita.
Jones.
Kacir.
Kellis.
King.
Kveton.
Lackey.
Laird.
Lauderdale.
Lawrence.
Leslie.
Lindsey.
Looney.
McCord.
McDaniel.
McFarlane.
McKean.
McLeod.
Malone.
Martin.
Marshall.
Mathes.
Melson.
Merriman.
Miller of Dallas.
Miller of Parker.
Morgan.
Moore.
Morris of Medina.
Morris
of Montague.
Mott.
Neblett.
Neinast.
Owen.
Patman.
Perkins
of Cherokee.
Perkins of Lamar.

Perry.
Pollard.
Pope.
Quaid.
Quicksall.
Quinn.
Rice.
Rogers of Harris.
Rosser.
Rountree.
Rowland.
Satterwhite.
Schweppe.
Seagler.
Shearer.
Sims.
Smith.
Sneed.
Stephens.
Stevenson.
Stewart
of Edwards.
Stewart of Reeves.
Swann.
Sweet of Brown.
Sweet of Tarrant.
Thomas
of Limestone.
Thomason.
Thompson
of Harris.
Thompson
of Red River.
Thorn.
Thrasher.
Veatch.
Wadley.
Walker.
Wallace.
Webb.
Wessels.
Westbrook.
Williams
of Montgomery.
Wright.

Absent.

Baker.
Brown.
Burns.
Laney.
Pool.

Rogers of Shelby.
Teer.
West.
Williams
of McLennan.

SENATE BILL NO. 3 ON SECOND READING.

Mr. Satterwhite moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 3 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—133.

Adams.	Kacir.
Aiken.	Kellis.
Baker.	King.
Baldwin.	Kveton.
Barker.	Lackey.
Barrett of Bell.	Laird.
Barrett of Fannin.	Laney.
Bass.	Lauderdale.
Beasley	Lawrence.
of Hopkins.	Leslie.
Beasley	Lindsey.
of McCulloch.	Looney.
Beavens.	McCord.
Binkley.	McDaniel.
Bonham.	McFarlane.
Black, O. B.,	McKean.
of Bexar.	McLeod.
Black, W. A.,	Malone.
of Bexar.	Martin.
Brady.	Marshall.
Branch.	Mathes.
Bryant.	Melson.
Burkett.	Merriman.
Burmeister.	Miller of Dallas.
Burns.	Miller of Parker.
Carpenter.	Morgan.
Childers.	Moore.
Chitwood.	Morris of Medina.
Coffee.	Morris
Cox.	of Montague.
Crawford.	Mott.
Crumpton.	Neblett.
Cummins.	Neinast.
Curtis.	Owen.
Darroch.	Patman.
Davis, John E.,	Perkins
of Dallas.	of Cherokee.
Davis, John,	Perkins of Lamar.
of Dallas.	Perry.
Dinkle.	Pollard.
Duffey.	Pool.
Duncan.	Pope.
Edwards.	Quaid.
Estes.	Quicksall.
Faubion.	Quinn.
Fly.	Rice.
Fugler.	Rogers of Harris.
Garrett.	Rosser.
Greer.	Rountree.
Grissom.	Rowland.
Hall.	Satterwhite.
Hanna.	Schweppe.
Hardin.	Seagler.
Harrington.	Shearer.
Henderson	Sims.
of McLennan.	Smith.
Henderson	Sneed.
of Marion.	Stephens.
Hendricks.	Stevenson.
Hill.	Stewart
Horton.	of Edwards.
Johnson of Ellis.	Stewart of Reeves.
Johnson	Swann.
of Wichita.	Sweet of Brown.
Jones.	Sweet of Tarrant.

Thomas	Walker.
of Limestone.	Wallace.
Thomason.	Webb.
Thompson	Wessels.
of Harris.	Westbrook.
Thompson	Williams
of Red River.	of McLennan.
Thorn.	Williams
Thrasher.	of Montgomery.
Wadley.	Wright.

Absent.

Brown.	Veatch.
Rogers of Shelby.	West.
Teer.	

The Speaker then laid before the House, on its second reading and passage to third reading.

S. B. No. 3, A bill to be entitled "An Act making an appropriation to pay the mileage and per diem of the presidential electors of Texas for the year 1921, and declaring an emergency."

The bill was read second time and passed to third reading.

SENATE BILL NO. 3 ON THIRD READING.

The Speaker then laid Senate bill No. 3 before the House on its third reading and final passage.

The bill was read third time.

The Clerk was directed to call the roll, and the bill was passed by the following vote:

Yeas—132.

Adams.	Chitwood.
Aiken.	Coffee.
Baker.	Cox.
Baldwin.	Crawford.
Barker.	Crumpton.
Barrett of Bell.	Cummins.
Barrett of Fannin.	Curtis.
Bass.	Darroch.
Beasley	Davis, John E.,
of Hopkins.	of Dallas.
Beasley	Davis, John,
of McCulloch.	of Dallas.
Beavens.	Dinkle.
Binkley.	Duffey.
Bonham.	Duncan.
Black, O. B.,	Edwards.
of Bexar.	Estes.
Black, W. A.,	Faubion.
of Bexar.	Fly.
Brady.	Fugler.
Branch.	Garrett.
Bryant.	Greer.
Burmeister.	Grissom.
Burns.	Hall.
Carpenter.	Hanna.
Childers.	Hardin.

Harrington.	Pool.
Henderson	Pope.
of McLennan.	Quaid.
Henderson	Quicksall.
of Marion.	Quinn.
Hendricks.	Rice.
Hill.	Rogers of Harris.
Horton.	Rogers of Shelby.
Johnson of Ellis.	Rosser.
Johnson	Rountree.
of Wichita.	Rowland.
Jones.	Satterwhite.
Kacir.	Schweppe.
Kellis.	Seagler.
King.	Shearer.
Kveton.	Sims.
Laird.	Smith.
Lauderdale.	Sneed.
Lawrence.	Stephens.
Leslie.	Stevenson.
Lindsey.	Stewart
Looney.	of Edwards.
McCord.	Stewart of Reeves.
McDaniel.	Swann.
McFarlane.	Sweet of Brown.
McKean.	Sweet of Tarrant.
McLeod.	Thomas
Malone.	of Limestone.
Martin.	Thomason.
Marshall.	Thompson
Mathes.	of Harris.
Melson.	Thompson
Merriman.	of Red River.
Miller of Dallas.	Thorn.
Miller of Parker.	Thrasher.
Morgan.	Veatch.
Moore.	Wadley.
Morris	Walker.
of Montague.	Wallace.
Mott.	Webb.
Neblett.	Wessels.
Neinast.	West.
Owen.	Westbrook.
Patman.	Williams
Perkins	of McLennan.
of Cherokee.	Williams
Perkins of Lamar.	of Montgomery.
Perry.	Wright.
Pollard.	

Absent.

Brown.	Laney.
Burkett.	Morris of Medina.
Lackey.	Teer.

COMMUNICATION FROM COMPTROLLER.

The Speaker laid before the House and had read the following communication from the Comptroller:

Comptroller's Department,
State of Texas.

Austin, Texas, January 13, 1921.

Hon. C. G. Thomas, Speaker, and Members of the Legislature.

Gentlemen: For your information I

hand you herewith the letter of transmission and a synopsis of my annual report to the Governor for the fiscal year ending August 31, 1920. The detailed report showing schedules, tables and recapitulation from the various counties were late getting into the hands of the public printer on account of my inability to obtain complete reports from several of the tax assessors and tax collectors over the State, which were necessary to include in the various tables for the final report. Four of these county officials have gotten their annual reports to this office within the last twenty days.

For the above reason my annual report went to the printer too late, in their already crowded and over-worked condition to enable them to deliver the printed report in time for the opening of the session of the Legislature. The following synopsis contains the essence of what my annual report will show and all of the schedules, tables of values, etc., are all prepared and the original on file in the auditing division in the Comptroller's Department.

Any information that my department can furnish you or any of the members relative to the annual report or of the State's affairs in general will be cheerfully furnished, since we are,

Yours to command,

M. L. WIGINTON.

Comptroller.

Austin, Texas, September 1, 1920.

To His Excellency W. P. Hobby, Governor of Texas.

Dear Sir:—In compliance with Chapter 17, Section 19 of the General Laws of the State of Texas, as passed by the Fourth Called Session of the Thirty-first Legislature, I submit herewith the annual report of the Comptroller's Department for the fiscal year beginning September 1, 1919, and ending August 31, 1920.

In transmitting this report I take pleasure in directing your attention to the splendid condition of the State Treasury as of September 1, 1920, which shows a net balance in the State revenue account of \$8,840,758.79.

I submit the following statement of total receipts and disbursements for the fiscal year beginning September 1, 1919, and ending August 31, 1920:

Balance in State Treasury

Sept. 1, 1919.....	\$ 7,942,531.91
Total receipts Sept. 1,	
1919, to Aug. 31, 1920..	40,360,269.92
Total	\$48,302,801.83

Disbursements Sept. 1,
1919, to Aug. 31, 1920.. 34,750,685.93

Balance in State Treas-
ury Sept. 1, 1920....\$13,552,115.90

I submit the following summary of property value as shown by the tax rolls for 1919 and 1920, the total valuation shown by the tax rolls of 1919 is \$3,200,295,205, and the total value of 1920 is \$3,390,954,152 showing an increase of taxable value of \$190,658,947.

The total taxes charged on 1919 rolls was \$24,919,216. The total taxes charged for 1920 is \$21,816,528, a decrease from amount of 1919 tax rolls of \$3,102,688, this being due to reduction of tax rate for 1920.

I submit the following statement in regard to the Comptroller's Department for the fiscal year September 1, 1919, to August 31, 1920. The total appropriation was \$128,495.22, and the total expenditures was \$120,173.01, leaving an unexpended balance of \$8322.21.

The total appropriation for the auditing division of the department was \$39,750 and expenditures by this division was \$37,046.22, leaving an unexpended balance in this division of \$2703.78.

I submit the following statement of collections made by the permit division (Dean Prohibition Law) of this department from October 24, 1919 (date law was effective), to August 31, 1920:

Permit Fees at \$5.00 each..\$10,905.00
Supplies furnished at cost.. 2,607.13

Total receipts\$13,512.13

The splendid statement as shown above of the State's finances is largely due to the passage of legislation increasing the State's revenue from sources other than a direct tax and the principal increase of income has been derived from Gross Receipts Tax on oil.

The Gross Receipts Tax one and one-half per cent on oil from September 1st, 1919, to August 31st, 1920, is \$3,018,432.73. While a member of the Legislature and being the author of the bill taxing oil production, I take pleasure in submitting the information that during your last term of office and during the operation of this law there has been received from this one source alone \$6,803,695.18. While Gross Receipt Tax from other sources will show in addition to the oil tax approximately \$1,400,000, for the same period during your present term.

The above stupendous amounts have been handled on one desk with one clerk

and one stenographer and represents receipts from oil companies in the State who voluntarily have paid the tax. I have information at hand of many, many oil producers in the State who are not paying the tax. In a two day visit into that field who had never paid the tax. If the Legislature would make provisions for salaries and traveling expenses for two capable men to travel and enforce the payment of this tax I confidently believe that a half million dollars might be added to the State's revenue from this source alone. I call your attention to this because it is very important.

Provision for the equalization of taxes should be provided for, as required by our Constitution. Article 8, Section 18, provides that: "The Legislature shall provide for equalizing, as near as may be, the valuation of all property subject to or rendered for taxation, (the county commissioners' court to constitute a board of equalization); and may also provide for the classification of all lands with reference to their value in the several counties."

The present statutory provisions for the purpose of equalization of taxation has not brought about the desired result and gross inequalities is shown by the tax rolls of this State now on file in the department.

I suggest that a probable solution would be the creation of a "State Board of Classification" as provided for in the above quoted article and section of the State Constitution. Their duties could be presented under constitutional authority and provisions made for certification to the County Board of Equalization, and prescribe their duty in regard to such classification. They are also a constitutional board but on account of being with limited territorial jurisdiction can not procure the necessary information for a general equalization of taxable values as between counties but can only equalize taxation in their respective county.

It is my pleasure to report that since receiving appointment at your hand January the first of the present year, I have worked out and installed in the general warrant room of this department a modern loose leaf posting system of accounting, such as is used in modern up to date banks of the State, carrying individual accounts, issuing separate warrants and giving daily balances on every appropriation made by the Legislature. This in my judgment was the crying need of this department and has been for all the years, and in this connection permit me to say that I have established the same method of revis-

ing the list, establishing a modern system of loose leaf filing card indexing into the Pension Department, which in my judgment is in perfect condition for the first time.

With gratitude to you personally, for the opportunity to serve the State in this important department, the above is

Respectfully submitted,
M. L. WIGINTON,
Comptroller.

PROVIDING FOR ASSISTANT TO THE CHIEF CLERK.

Mr. John Davis of Dallas offered the following resolution:

Be it resolved by the House of Representatives, That the Speaker be authorized to appoint and employ an assistant to the Chief Clerk at a salary of \$5 per day.

The resolution was read second time.

Mr. Owen moved to table the resolution, and the motion to table was lost.

Question recurring on the resolution, it was adopted.

PROVIDING COPIES OF TEXAS STATUTES.

By unanimous consent, the Speaker laid before the House, for consideration at this time, the resolution introduced this morning by Mr. John Davis of Dallas, providing for the purchase of certain Revised Statutes for use of the House, with amendment by Mr. Owen pending.

Mr. Owen withdrew the pending amendment.

Mr. Miller of Dallas offered the following amendment to the resolution:

Amend by striking out "142" and substituting "25 volumes," and striking out "\$1775" and substituting "\$312.50."

On motion of Mr. Crumpton the amendment was tabled.

Mr. Perkins of Cherokee offered the following amendment to the resolution:

"Provided, the books so purchased shall be and remain the property of the State, and upon the adjournment of the sessions of the Legislature the same shall be delivered by the members in possession to the Sergeant-at-Arms of the House and held in his custody for the use of future Legislatures."

The amendment was adopted.

Mr. Williams of McLennan offered the following amendment to the resolution:

Amend the resolution so as to provide for the purchase of 72 books and change the amount to meet the amount necessary.

Mr. Perkins of Lamar moved the previous question on the amendment and the resolution, and the motion was not seconded.

On motion of Mr. Morgan, the amendment was tabled.

(Speaker in the chair.)

Mr. Owen moved to table the resolution.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—63.

Baldwin.	Johnson
Barker.	of Wichita.
Barrett of Bell.	Jones.
Barrett of Fannin.	King.
Beasley	Lawrence.
of McCulloch.	McDaniel.
Binkley.	McFarlane.
Branch.	McKean.
Bryant.	Martin.
Burkett.	Marshall.
Burmeister.	Mathes.
Carpenter.	Merriman.
Crumpton.	Miller of Dallas.
Cummins.	Morgan.
Curtis.	Mott.
Davis, John E.,	Neblett.
of Dallas.	Owen.
Duffey.	Perry.
Duncan.	Pollard.
Edwards.	Quinn.
Faubion.	Rice.
Fly.	Rosser.
Grissom.	Satterwhite.
Hall	Sims.
Hanna.	Stephens.
Hardin.	Sweet of Brown.
Harrington.	Thomas
Henderson	of Limestone.
of Marion.	Thorn.
Hendricks.	Thrasher.
Hill.	Veatch.
Horton.	Wallace.
Johnson of Ellis.	Webb.
	West.

Nays—70.

Adams.	Coffee.
Aiken.	Cox.
Baker.	Crawford.
Beasley	Darroch.
of Hopkins.	Davis, John,
Beavens.	of Dallas.
Bonham.	Dinkle.
Black, O. B.,	Fugler.
of Bexar.	Garrett.
Black, W. A.,	Greer.
of Bexar.	Henderson
Brady.	of McLennan.
Burns.	Kacir.
Childers.	Kellis.
Chitwood.	Kveton.

Laird	Rowland.
Laney.	Schweppe.
Lauderdale.	Seagler.
Leslie.	Shearer.
Lindsey.	Smith.
Looney.	Sneed.
McCord.	Stevenson.
McLeod.	Stewart
Malone.	of Edwards.
Melson.	Stewart of Reeves.
Miller of Parker.	Swann.
Moore.	Sweet of Tarrant.
Morris of Medina.	Thomason.
Morris	Thompson
of Montague.	of Harris.
Neinast.	Thompson
Patman.	of Red River.
Perkins	Wadley.
of Cherokee.	Walker.
Perkins of Lamar.	Wessels.
Pool.	Westbrook.
Quaid.	Williams
Quicksall.	of McLennan.
Rogers of Harris.	Williams
Rogers of Shelby.	of Montgomery.
Rountree.	Wright.

Absent.

Bass.	Lackey.
Brown.	Pope.
Estes.	Teer.

Mr. Owen offered the following amendment to the resolution:

Amend the resolution by changing the number from "142" to "20."

Mr. McCord offered the following substitute for the amendment:

Amend the original resolution by striking out "142" copies of the laws and insert in lieu thereof "37" copies of the laws, and that one copy be furnished to the chairman of each committee of the House.

Mr. Owen accepted the substitute.

Mr. Williams of McLennan moved the previous question on the pending amendments and the resolution, and the main question was ordered.

Question first recurring on the amendment by Mr. McCord, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—97.

Adams.	Beasley
Aiken.	of McCulloch.
Baker.	Binkley.
Baldwin.	Bonham.
Barker.	Black, W. A.,
Barrett of Fannin.	of Bexar.
Bass.	Branch.
Beasley	Bryant.
of Hopkins.	Burmeister.

Carpenter.	Morris of Medina.
Childers.	Morris
Cox.	of Montague.
Crawford.	Mott.
Crumpton.	Neblett.
Cummins.	Owen.
Curtis.	Perkins
Darroch.	of Cherokee.
Davis, John E.,	Perkins of Lamar.
of Dallas.	Perry.
Dinkle.	Pope.
Duffey.	Quaid.
Duncan.	Quicksall.
Edwards.	Quinn.
Faubion.	Rice.
Fly.	Rogers of Harris.
Fugler.	Rogers of Shelby.
Grissom.	Rosser.
Hall.	Rountree.
Hanna.	Rowland.
Hardin.	Satterwhite.
Harrington.	Schweppe.
Henderson	Sims.
of Marion.	Smith.
Hendricks.	Sneed.
Hill.	Stephens.
Horton.	Stevenson.
Johnson of Ellis.	Stewart of Reeves.
Johnson	Swann.
of Wichita.	Sweet of Tarrant.
Kellis.	Thomas
King.	of Limestone.
Lawrence.	Thomason.
Looney.	Thompson
McCord.	of Harris.
McDaniel.	Thorn.
McFarlane.	Thrasher.
McKean.	Veatch.
McLeod.	Walker.
Malone.	Webb.
Marshall.	West.
Mathes.	Westbrook.
Merriman.	Williams
Miller of Dallas.	of McLennan.
Morgan.	Wright.
Moore.	

Nays—36.

Barrett of Bell.	Laney.
Beavens.	Lauderdale.
Black, O. B.,	Leslie.
of Bexar.	Lindsey.
Brady.	Martin.
Burkett.	Miller of Parker.
Burns.	Neinast.
Chitwood.	Patman.
Coffee.	Pollard.
Davis, John,	Pool.
of Dallas.	Seagler.
Garrett.	Shearer.
Greer.	Stewart
Henderson	of Edwards.
of McLennan.	Sweet of Brown.
Jones.	Thompson
Kacir.	of Red River.
Kveton.	Wadley.
Laird.	Wallace.

Wessels.

Williams
of Montgomery.

Absent.

Brown.
Estes.
Lackey.Melson.
Teer.

Question next recurring on resolution, as amended, it was adopted.

Mr. Burmeister moved to reconsider the vote by which the resolution as amended was adopted and to table the motion to reconsider.

The motion to table prevailed.

APPOINTMENT OF PAGES.

The Speaker announced the appointment of the following pages:

Durham Durham, Norwood Roberdeau, Thomas Gullett, Jeff Reese, Harry W. Battle, Archibald Gay, Paul Midkiff, Joe Hill, Randolph Brasfield, John Mulkey, W. T. Johnson, Litten Eanes, Walter Guess, Earl Lawler, George Gillespie, Kelley Spillar, Holmes Gilbert, Thurman Phillips, John Hall, Alton Veil, Oliver Caldwell, Quinton Lacey.

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills:

S. B. No. 1, "An Act making an appropriation to pay the per diem and mileage of members and per diem of officers and employes of the Regular Session of the Thirty-seventh Legislature of the State of Texas, convened on the 11th day of January, 1921; providing how accounts may be approved, and declaring an emergency."

S. B. No. 2, "An Act to make an appropriation to pay the contingent expenses of the Regular Session of the Thirty-seventh Legislature of the State of Texas, convened January 11, 1921; providing how accounts may be approved, and declaring an emergency."

S. B. No. 3, "An Act making an appropriation to pay the mileage and per diem of the presidential electors of Texas for the year 1921, and declaring an emergency."

MISCELLANEOUS COMMITTEE REPORTS.

The following bills were today reported favorably by the appropriate committees as follows:

Appropriations: Senate bills Nos. 1, 2 and 3.

ADJOURNMENT.

On motion of Mr. Henderson of McLennan, the House, at 5:20 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

FOURTH DAY.

(Friday, January 14, 1921.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Thomas.

The roll was called and the following members were present:

Adams.	Hanna.
Aiken.	Hardin.
Baker.	Harrington.
Baldwin.	Henderson
Barker.	of McLennan.
Barrett of Bell.	Henderson
Barrett of Fannin.	of Marion.
Bass.	Hendricks.
Beasley	Hill.
of Hopkins.	Horton.
Beasley	Johnson of Ellis.
of McCulloch	Johnson
Binkley.	of Wichita.
Bonham.	Jones.
Black, O. B.,	Kacir.
of Bexar.	Kellis.
Black, W. A.,	King.
of Bexar.	Kveton.
Branch.	Lackey.
Bryant.	Laird.
Burkett.	Laney.
Burmeister.	Lauderdale.
Burns.	Lawrence.
Carpenter.	Leslie.
Childers.	Lindsey.
Chitwood.	Looney.
Coffee.	McCord.
Cox.	McDaniel.
Crawford.	McFarlane.
Crumpton.	McKean.
Cummins.	McLeod.
Curtis.	Malone.
Darroch.	Martin.
Davis, John E.,	Marshall.
of Dallas.	Mathes.
Davis, John,	Merriman.
of Dallas.	Miller of Dallas.
Dinkle.	Miller of Parker.
Duffey.	Moore.
Duncan.	Morris of Medina.
Edwards.	Morris
Estes.	of Montague.
Faubion.	Mott.
Fly.	Neblett.
Fugler.	Owen.
Garrett.	Patman.
Greer.	Perkins
Grissom.	of Cherokee.
Hall.	Perkins of Lamar.